

This form is to used to make a discriminatory action complaint to the Occupational Health and Safety Division.

- **Note, this form is not to be used for a *Discriminatory Action Appeal* (the form required for the appeal can be found on the [Labour Board Website](#) under OHS Appeals).**

### Procedure to Complete the Discriminatory Action Complaint Form

- The attached form must be filled out and received by an Officer of the Occupational Health and Safety Division of the Department of Labour and Advanced Education within thirty (30) days of the incident on which this complaint is based on. **If the complaint is not received within 30 days there is no possible remedy under the Occupational Health and Safety Act.** The completed form should be sent to the appropriate Occupational Health and Safety Division office (see office locations listed on the following page). Complete each section as follows:

<b>Section A:</b> Complainant Information	Fill in your contact information – full name, phone number where you may be reached, address and the position you hold (or held) at work.
<b>Section B:</b> Employer/Union Information	Fill in your union/employer contact information, - employer/company/union name, address, phone number and supervisor’s name. Indicate the location where the incident occurred at.
<b>Section C:</b> Complaint	<p>Fill in blanks, then check one (or more) of the boxes which will apply to your incident. These boxes correspond to the section in the Act where discriminatory action applies.</p> <p>Facts of Complaint: relate, in as detailed a manner as possible, what occurred and why you are alleging a discriminatory action complaint. Writing tips that may be useful:</p> <ul style="list-style-type: none"> <li>▪ Write a <i>draft</i> so that that you may organize your thoughts and events, ensuring all relevant information is noted.</li> <li>▪ Organize the incident in chronological (time) order.</li> <li>▪ Answer: What happened? When? Did anything occur prior to the incident (is there a history)? What did you do? What did the supervisor/employer do? Are there witnesses to the incident?</li> <li>▪ Try using point form, rather than a paragraph, to describe the incident that lead to the complaint.</li> </ul>

- Once a complaint is received, and it is within the 30 day time frame, an Occupational Health and Safety Officer will investigate the complaint. The complainant will be contacted and interviewed. The Officer will also contact any other persons necessary to make a determination. Note: the process is transparent, meaning any information given to the Officer will be shared and each party will have the opportunity to respond to the information submitted by the other.

**Employee Discriminatory Action Complaint**

Form # 503

**Labour and Advanced Education**

- Once the Officer is satisfied that all information has been received they will make a determination whether there has been a violation of the Act. If a violation has occurred, an order will be issued to the employer specifying the provision of the Act that has been contravened and the remedy. If there are no grounds to issue an order, the Officer will notify the parties.
- An Officer's order may be appealed by the complainant or the employer. The appeal must be filed in writing, to the Labour Board within 14 days of having been served with the order or decision. An appeal form can be found at:
  - Website: <http://www.gov.ns.ca/lae/labourboard/ohs/docs/ohsappeal-form01.pdf>
  - Telephone: Halifax (902) 424-5400 or Toll Free 1-800-9LABOUR (1-800-952-2687)
- For your convenience, our contact information has been provided below:

 **Halifax**

NS Labour and Advanced Education  
OHS Division  
5151 Terminal Road, 7<sup>th</sup> Floor  
PO Box 697  
Halifax, NS B3J 2T8  
Fax: (902) 424-5640

 **Boylston**

NS Labour and Advanced Education  
OHS Division  
RR#2  
Boylston, NS B0H 1G0  
Fax: (902) 533-2307

 **Bridgewater**

NS Labour and Advanced Education  
OHS Division  
60 Logan Road  
Bridgewater, NS B4V 3J8  
Fax: (902) 527-5480

 **Kentville**

NS Labour and Advanced Education  
OHS Division  
10 Webster Street  
Suite 202  
Kentville, NS B4N 1J5  
Fax: (902) 679-5166

 **Port Hawkesbury**

NS Labour and Advanced Education  
OHS Division  
218 MacSween Street, Suite 12  
Port Hawkesbury, NS B9A 2J9  
Fax: (902) 625-4044

 **New Glasgow**

NS Labour and Advanced Education  
OHS Division  
187 Terra Cotta Drive  
New Glasgow, NS B2H 6B6  
Fax: (902) 755-3158

 **Sydney**

NS Labour and Advanced Education  
OHS Division  
Provincial Building  
360 Price Street  
Sydney, NS B1P 5L1  
Fax: (902) 563-3475

 **Truro**

NS Labour and Advanced Education  
OHS Division  
36 Inglis Street  
PO Box 824  
Truro, NS B2N 5G6  
Fax: (902) 893-0282

 **Yarmouth**

NS Labour and Advanced Education  
OHS Division  
13 First Street  
Yarmouth, NS B5A 1S9  
Fax: (902) 742-7796

