



Case Study 1 - Phyllis

This is a fictional case study but is similar to many of the complaints that the Nova Scotia Human Rights Commission receives.

Phyllis is a trans woman who works as a computer software developer at a local business in Dartmouth, Nova Scotia. Phyllis has recently come out as trans to her employer. Phyllis let her supervisor, Todd, know that her pronouns are “she” and “her”, and that she plans to use the name Phyllis, even though Todd, and her coworkers knew her by another name. She had asked Todd not to mention anything about her gender identity to the other staff at the software company.

Phyllis also confided in Todd that she plans to have gender confirming surgery, and so requires time off from work for medical appointments. When her medical request was received at the Human Resource Department, it was denied. She asked Todd why and he said, “medical leave is only for things that are really important”. Phyllis could not afford to take the time off to have her surgery. Phyllis let Todd know that she didn’t want any of her coworkers to know about her plans to medically transition.

After that, Phyllis noticed her coworkers started treating her differently. She found that she wasn’t included in group messages as much anymore, and that she wasn’t invited for the morning coffee run. Phyllis overheard her coworkers talking by the photocopier that they didn’t know what to call her, “is he a *he* or a *she*”. Another coworker asked her if she was going to become a “real woman”, referring to gender confirming surgery. The comments made Phyllis feel uncomfortable and humiliated in her workplace.

When Phyllis approached her supervisor about the comments, Todd shrugged them off and said, “Well, they were going to find out sooner or later.”

Feeling overwhelmed and defeated, Phyllis reached out to the Human Resources Department at her work. She shared her concern about the medical leave and the comments about her in the office. The Human Resources Manager said, “there is nothing in our policy to deal with this situation.”

Phyllis, felt frustrated, sad, and unwelcomed in her work environment. She confided in a friend who suggested that she contact the Human Rights Commission.



Group Discussion Questions

1. Did the company violate the *Nova Scotia Human Rights Act*? If so, how?

2. Would you suggest Phyllis file a complaint, if so under which jurisdiction (Federal or Provincial)? And what would be the Protected Characteristic and Prohibited Area for her complaint?

3. Did Todd approach Phyllis's matter reasonably?
