

Case Study 1

Tameka v. Department of Environmental Transformative Relations

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

Recently, Tameka was the successful candidate for the Client Strategist position at the Department of Environmental Transformative Relations. There is a six month probation period within her job.

Typically, every morning Tameka meets with Mr. Maxwell to go over new client referrals and other upcoming trends. Mr. Maxwell is the Senior Director, a male of European decent, born in the 1960s and wears a suit and tie to work every day. Tameka, is from the West Indies, her parents immigrated to Nova Scotia in the 1980s, and she was born in the 1990s.

Over the first two months, Mr. Maxwell never commented on Tameka's attire. She had heard rumors around the office that Mr. Maxwell preferred women to dress a certain way at work and that he didn't believe any of the women in office dressed appropriately. He was often very vocal to other employees about his views on how women should dress in the workplace.

He particularly didn't like full figured women, and especially didn't like them wearing fitted clothing. Tameka was a size 16 and gravitated to a more modern fashion style with bold prints, fitted blouses and high waisted slim fitted pants.

In the office many of the women felt pressured in to dressing and looking a certain way to appease Mr. Maxwell. Actually, Tameka noticed a shift in the way women dressed in the office. The women began to wear dresses with stockings and blazers.

One morning Mr. Maxwell asked Tameka to come into his office.

Mr. Maxwell asked Tameka if she had read the dress code policy. Tameka had read the policy but thought it was a bit outdated and mentioned that to Mr. Maxwell. Some of the items mentioned in the dress code policy were: women had to wear dresses that go below the knee with stockings, at least a 1 inch heel, were a few of the updated items.

When Tameka went into Mr. Maxwell's office he said, "You are good looking, but how you dress is suggestive and inappropriate for the workplace, especially when dealing with our clients. You have to change the way you dress in the office".

Tameka left the meeting feeling self-conscious, humiliated, and frustrated. She couldn't understand the reasoning behind the accusations. After that incident, Mr. Maxwell frequently made suggestive comments towards her attire going forward around other staff members in the office.

Five months into Tameka's position, Mr. Maxwell had terminated her employment, saying she wasn't the right fit for the position and that her skills would be great elsewhere, even though she received raved reviews from all of her clients.

Group Discussion Questions

1. Did Mr. Maxwell violate the *Nova Scotia Human Rights Act*? If so, how?
2. When Tameka first heard of the rumors about Mr. Maxwell should she have said something? If so, to whom?
3. Is Tameka's attire the direct factor in her termination? If so, why?
4. Is there a responsibility other than Tameka, to speak up about Mr. Maxwell?