

Good morning Robert,

Thank you for the opportunity to comment on the allegations made by our former employee, Ann McGettigan, that Closing the Gap Healthcare was insufficiently protective of her when she was making visits to clients as a Continuing Care Assistant.

Closing the Gap Healthcare employs hundreds of Continuing Care Assistants in Nova Scotia and Personal Support Workers in Ontario. In addition, we employ many hundreds of therapists and nurses in Ontario. Our employees provide a total of over one million hours of service each year, in most cases while working alone with clients in their homes.

We are very well aware of the hazards to which our employees are exposed while working alone in clients' homes. For this reason, Closing the Gap Healthcare provides our employees with training on human rights, respect in the workplace, and the right to be free from discrimination based on grounds protected by human rights law, as well as the right to be free in the workplace from harassment (including sexual harassment) by clients and others (including clients' family members).

At the time of hiring, we instruct our employees on how to handle situations involving sexual and other harassment, and abusive clients. This training includes empowering and supporting our employees to speak up and inform clients when they are conducting themselves inappropriately, as well as giving our employees express permission immediately to leave the client's home and notify their supervisor of their concerns. Every complaint made by an employee is carefully investigated, and we do not require our employees to keep visiting clients who make our employees uncomfortable.

Ann first reported a concern about a particular client on February 22, 2016, advising that he had made an inappropriate comment to her of a sexual nature. Ann's supervisor immediately offered to remove Ann from the client's schedule. However, Ann went on to assure her supervisor that Ann:

- felt that she had handled the situation sufficiently herself, by advising the client that his comments were inappropriate and unwelcome; and
- believed that the client understood and would not make further inappropriate comments.

Based on Ann's assurances, Closing the Gap Healthcare continued to assign Ann to work with the client. After Ann's next visit to the client (on February 23, 2016), Ann's supervisor contacted Ann, who advised that she had experienced no further inappropriate behaviour from the client. We also contacted other employees who had provided service to the same client, none of whom expressed any concerns about the client.

On March 6, 2016, Ann advised her supervisor that the same client had sexually assaulted her by touching her buttocks. We immediately and permanently removed Ann from the client's schedule, and informed the Nova Scotia Health Authority. On March 8, 2016, the client entered into a written contract with Closing the Gap Healthcare and the Nova Scotia Health Authority to confirm his understanding that his comments and conduct towards Ann were totally and completely unacceptable, and that his services would be terminated if he engaged in any further such conduct.

On September 18, 2016, Ann advised her supervisor that a different client had made an inappropriate comment of a sexual nature to her. Closing the Gap Healthcare immediately removed this client from Ann's schedule. We also contacted the client and advised the client that his comment was inappropriate and that any further such comments to other employees would not be tolerated. Although this client was inadvertently added to Ann's schedule on March 29, 2017, the error was immediately corrected upon notification by Ann, and she was never actually sent to visit the client again. We urged Ann, in

writing, to continue to communicate any issues/concerns she might have about clients, to continue to verbally discourage any unwanted/inappropriate behaviour, to inform us as soon as possible of any such behaviour by clients, and if she ever felt unsafe, to be sure to leave the client's home immediately and to contact her supervisor. In addition, we referred Ann to our Employee Assistance Program.

Ann filed complaints with both the Nova Scotia Department of Labour and the Nova Scotia Human Rights Commission, alleging that Closing the Gap Healthcare had failed to act appropriately to protect her in her work. Both complaints were thoroughly investigated, and dismissed on the basis that they were without merit.

We regret that Ann remains dissatisfied with our response to her workplace experiences. However, we are confident that we took all reasonable steps to protect and support her.

Once again, we thank you for reaching out and request you forward a copy of your article when appropriate.