

RESPECTFUL COLLEGE COMMUNITY PROCEDURE
Harassment, Violence, and Discrimination

A. PROCEDURE

Making a Formal Complaint

Any College Community Member who believes she or he or they has / have been subjected to harassment, violence, or discrimination in a College Setting has a right to make a formal or informal complaint and is encouraged to follow the procedures outlined below.

All College employees, contractors, and volunteers should bring their formal complaint(s) to their Manager and/or Human Resource Services, or other designated individual.

All College students should bring their formal complaint(s) to a Student Advisor, Campus Manager, Dean, or other designated individual.

Complainants are encouraged to prepare and submit a written complaint, including the name and position of the Respondent(s), names of any witnesses or other individuals with relevant information, details of allegations (including locations, dates and times of incidents), and any supporting documents. See **Appendix A** for a sample Complaint Form.

In no case will a Complainant be compelled to submit or proceed with a formal complaint against their wishes. However, they may still be required to cooperate in an investigation.

Conducting an Investigation

The College will conduct an investigation into any incident or complaint of harassment, violence, or discrimination, as appropriate in the circumstances. This obligation is not only triggered when a formal complaint is made, but also when the College becomes aware of an incident of harassment, violence, or discrimination.

The College, at its sole discretion, may assign an internal Investigator or retain an external Investigator to conduct the investigation, as appropriate in the circumstances.

The Investigator shall investigate the complaint in a fair and timely manner.

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The decision to proceed with an investigation will be made by the appropriate Vice President. Where appropriate, the Investigator may investigate the complaint even if the Complainant chooses not to submit, or to withdraw, a formal complaint.

At the outset of an investigation, the Respondent(s) shall be invited to provide a written response. Where necessary, the Investigator may require the Respondent(s) to provide a written response.

In the course of an investigation, the Investigator may interview any individual who may have information relevant to the complaint or the response to the complaint.

All individuals who participate in an investigation will be reminded of their duty to keep all shared information confidential and not to discuss the complaint, the incident(s), or the investigation with others unless necessary to obtain advice about their legal rights. All individuals who participate in an investigation may ask to be accompanied by a supporter and/or union representative.

The College will make best efforts to conclude the investigation in a timely manner, but timelines will vary depending on the circumstances of the complaint and investigation.

Following the Investigation

The Investigator shall prepare a detailed investigation report which sets out the Investigator’s findings of fact. The Investigator shall submit the investigation report to Human Resource Services, the appropriate Vice President, and any other College representative(s), as appropriate.

Human Resource Services and the appropriate Vice President, in consultation with any other College representative(s), as appropriate, shall determine whether and to what extent any Policy violations have occurred, and shall determine whether and to what extent any corrective action will be taken.

The Complainant and Respondent(s) will be informed in writing of the outcome of the investigation and of any corrective action taken.

Records related to the complaint and investigation shall be kept in a confidential and secure manner for a minimum of one year following the conclusion of the investigation. Such records shall not be disclosed unless necessary for another investigation, to take corrective action, or as otherwise required by law.

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The Informal Complaint Resolution Process

STEP 1 – Informal Discussion between Complainant and Respondent

1. The College recommends that, initially, and provided the Complainant is comfortable doing so, the Complainant approach the Respondent on an informal basis to identify the conduct of concern and explain to the Respondent that it is unwelcome.
2. The Complainant and the Respondent may discuss the Complainant’s concern(s) as well as possible ways of addressing it. They may consult with any Manager and/or Human Resource Services and/or a Student Advisor for direction and support.

STEP 2 – Mediation

1. Either the Complainant or the Respondent may make a request to a Manager and/or Human Resource Services for an external party be engaged to act as a mediator.
2. The external party will be identified by Human Resource Services.
3. The external party will meet with the Complainant and the Respondent to gather information and mediate, with a view to helping the parties come to a resolution. All discussions throughout mediation are privileged and confidential, including if a formal complaint is subsequently pursued.
4. Human Resource Services may determine mediation is not appropriate in the circumstances and may proceed to Step 3.

STEP 3 – Formal Complaint

1. If mediation is deemed not to be appropriate or does not lead to an effective resolution, the Complainant may make a formal complaint.
2. All formal complaints will be dealt with in accordance with the Procedure set out in this Policy.

B. ENFORCEMENT

Where the College has determined that an individual has perpetrated harassment, violence, or discrimination or has otherwise engaged in conduct which contravenes this Policy, the College shall have complete discretion to impose remedies, sanctions, or take other corrective action, as appropriate, including disciplinary action up to and including dismissal for just cause.

The severity of any corrective action will be consistent with the seriousness of the conduct at issue such that more significant corrective action will follow more serious conduct or repeated violations of this Policy.

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C. NO REPRISAL

Harassment, violence, and discrimination are serious matters. This Policy prohibits reprisals against College Community Members who have made good faith complaints or otherwise provided information about apparent harassment, violence, or discrimination in the College Setting. Individuals who engage in reprisals or threats of reprisals will face appropriate corrective action.

Reprisal includes:

- a) any act of retaliation that occurs because an individual has complained of, or otherwise provided information about, an alleged incident of harassment, violence, or discrimination in a College Setting;
- b) intentionally pressuring an individual to ignore, or not file a complaint about, an alleged incident of harassment, violence, or discrimination in a College Setting; and
- c) intentionally pressuring an individual to lie or provide less than full cooperation with an investigation of a complaint or apparent incident of harassment, violence, or discrimination in a College Setting.

Notwithstanding the foregoing, any College Community Member who deliberately makes a false complaint or otherwise abuses this Policy will face appropriate corrective action. Such corrective action is not a reprisal or breach of this Policy.

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APPENDIX A

Harassment, Violence, and/or Discrimination Complaint Form

Name and contact information of individual who has allegedly experienced harassment, violence, and/or discrimination contrary to this Policy:

Name

Date

Contact Information

Name, position, and contact information (if available) of alleged Respondent(s):

Details of the Complaint:

Please provide as much detail as possible, including names of any witnesses or other individuals with relevant information, details of allegations (including locations, dates and times of incidents), and any other information you believe is relevant.

Relevant Documents/Evidence

Attach any supporting documents, such as emails, handwritten notes, or photographs. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.

Signature:

Date:

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