

## RESPECTFUL CAMPUS

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Owner.

<b>Category:</b>	G. People & Culture
<b>Parent Policy:</b>	G24
<b>Approval Date:</b>	May 7, 2025
<b>Effective Date:</b>	May 7, 2025
<b>Procedure Owner:</b>	Chief People & Culture Officer

<b>Overview:</b>	The purpose of this procedure is to specify the required actions and possible outcomes for reporting and investigating incidents of violence, harassment or discrimination.
<b>Procedures:</b>	<p><b>Reporting Options</b></p> <p><u>Informal Procedure</u></p> <p>If you believe you or someone else have been subjected to workplace violence, harassment or discrimination, you may:</p> <ul style="list-style-type: none"> <li>• Start documenting details of incidents for future reference; or</li> <li>• If safe to do so, confront the harasser personally, or in writing, clearly stating the unwelcome behaviour/action and requesting that it stop immediately; or</li> <li>• Engage the assistance of a trusted employee to assist when confronting the harasser to resolve the concern; or</li> <li>• Discuss the situation with their immediate supervisor, the harasser's supervisor or another trusted member of management.</li> </ul> <p>Any employee who has been subjected to workplace violence, harassment or discrimination should, in all confidence and without fear of reprisal, personally report the circumstances to someone in a position of authority.</p> <p><u>Formal Procedure</u></p> <p>If you believe you or someone else have been subjected to workplace violence, harassment or discrimination, you should make a formal complaint. The written report of the complaint should be delivered to the Chief People &amp; Culture Officer (or their designate), or emailed to <a href="mailto:pc@oldscollege.ca">pc@oldscollege.ca</a> or provided through the Confidence Line at 1.800.661.9675 or online at <a href="http://oldscollege.confidenceline.com">oldscollege.confidenceline.com</a> and include the following information:</p> <ul style="list-style-type: none"> <li>• The date and time (if known) of each incident you wish to report.</li> <li>• The name of the person(s) involved in the incident(s).</li> <li>• The name of any person or persons who witnessed the incident(s).</li> <li>• A full description of what occurred.</li> </ul>

Once a written report has been received, the Chief People & Culture Officer (or designate) will conduct a thorough investigation.

#### **Investigation**

1. When it has been determined by the Chief People & Culture Officer that an investigation is the appropriate course of action, the Complainant and the Respondent will be notified of the investigation.
2. Investigations will be conducted by an appropriately trained investigator. An independent external investigator may be engaged at the discretion of the Chief People & Culture Officer.
3. Investigations will be conducted in a manner that upholds the principles of procedural fairness, timeliness and the safety and well-being of the individuals involved.
4. During the course of the investigation, the investigator will:
  - a. Gather enough information to determine if a violation of this policy has occurred;
  - b. Provide the Respondent with a summary of the allegations and/or a statement of the alleged conduct;
  - c. Provide the Respondent with an opportunity to respond to the complaint and/or alleged conduct;
  - d. Interview the Complainant, Respondent and, if necessary, any witnesses; and
  - e. Review relevant documentation.
5. The investigator will prepare and submit a written report to the Chief People & Culture Officer that includes:
  - a. An account of the complaint;
  - b. An overview of the process followed and how the investigation was conducted;
  - c. A summary of the relevant facts; and
  - d. The investigator's conclusions.

The College will take reasonable measures to prevent any unnecessary disclosure of the incident and the identities of the parties involved.

A number of supports, resources and services are available to support students and employees who may be impacted by an incident, investigation or outcome. Student resources are found at [oldscollege.ca/health](https://oldscollege.ca/health) and employee resources are found on the People & Culture page of OC Connect.

#### **Interim Measures During Investigations**

The College may impose interim measures to support the Complainant, and/or Respondent during an investigation. Examples may include:

- a. Determining that there is to be no contact between a Complainant and a Respondent
- b. That the Respondent may be suspended from classes, the workplace or residence pending the outcome of an investigation.

#### **Special Circumstances**

If the individual decides not to make a formal report, the Chief People & Culture Officer may decide that an investigation of the incident is required and will advise the person(s) who are subject to the investigation.

In cases where criminal proceedings are forthcoming, the College will assist law enforcement and other agencies as the College determines necessary.

Should an employee or student have a legal court order (e.g. restraining order, or "no-contact" order) against another individual, the employee is encouraged to notify their supervisor and to supply a copy of that order to the People & Culture Department. The student is encouraged to notify and supply a copy of that order to the Office of the Registrar.

#### **Outcomes**

After the conclusion of the investigation, and based on the findings of the Investigator's report, the College will determine the appropriate outcome(s) which may include restorative measures, mediation, alternative workplace arrangements and/or disciplinary action.

The Complainant and the Respondent will be advised of the results of the investigation, corrective action taken and any appeal procedures that may be available to them.

The College shall provide appropriate assistance to any employee who is a victim of workplace violence, harassment or discrimination. The College will ensure that a worker reporting an injury or adverse symptom resulting from an incident of violence or harassment is advised to consult a health professional of the worker's choice for treatment or referral. When a worker is treated or referred by a physician arising from the incident of violence or harassment, if the treatment sessions occur during regular work hours, the worker is deemed to be at work during that treatment.

The College will prepare a full investigation and outcomes report, outlining the circumstances of the incident and any corrective action taken to prevent recurrence. This report will be retained for at least two years after the incident. The College will ensure the report is readily available and provide a copy to Alberta Occupational Health and Safety on request.

A review of this procedure and the accompanying policy will occur:

- When there is an incident
- When there is a change to the work or worksite that could affect potential for violence and harassment
- If the Joint Health and Safety Committee or the safety officer requests a review
- At least once every three years

#### **Confidentiality**

The College will make all reasonable efforts to protect the privacy of the individuals involved and to ensure that Complainants and Respondents are treated fairly and respectfully. The College will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

All records of violence and/or harassment, complaints and subsequent investigations, are considered confidential.

#### **Definitions:**

**Workplace Violence:** Violence, whether at a work site or work related, is defined by the OHS Act as the threatened, attempted or actual conduct of a person that

causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence.

**Personal Harassment:** Any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought to reasonably know will or would cause offence or humiliation to a person or adversely affect the person's health and safety and includes: (i) conduct, comment, bullying or action against race, religious beliefs, ethnicity, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression, and sexual orientation, or any other protected ground under Alberta Human Rights legislation and (ii) a sexual solicitation or advance.

**Discrimination:** Includes differential treatment of a particular person or group of people on the basis of race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income, and sexual orientation, or any other protected ground under Alberta Human Rights legislation. It serves no educational or work-related purpose and is known or ought reasonably to be known to have the effect of creating an unfair, unreasonable or unsafe environment.

**Disrespectful Behaviour:** Involves objectionable behaviour that demeans, distresses, disturbs or embarrasses one or more employees. Disrespectful behaviour also includes conduct that is not appropriate to the work or learning environment (e.g., yelling, swearing). Repeated disrespectful behaviour may be considered bullying.

**Bullying:** Involves repeated incidents or a pattern of behaviour intended to intimidate, offend, degrade or humiliate a particular person or group of people. Bullying may be verbal, non-verbal, overt or covert, and may involve written and/or electronic communication. Bullying behaviour does not include:

- (a) Expressing differences of opinion,
- (b) Offering constructive feedback, guidance, or advice about work or learning-related behaviour,
- (c) Reasonable action taken by a supervisor relating to the management and direction of employees (e.g. managing an employee's performance, taking reasonable disciplinary actions, and assigning work)
- (d) Reasonable action taken by employees engaged in classroom management and providing directions to students related to the learning environment.

**Complainant:** A person who believes they or another person have experienced discrimination, harassment or violence and initiates a complaint against someone covered under this policy.

**Respondent:** A person who is alleged to have committed an act(s) which may violate this policy.

**Members of the College Community:** Includes employees, students, visitors, volunteers, third party contractors and their employees engaged in activities related to their contracts with the college.

**Protected Ground:** Race, religious beliefs, colour, gender, sexual orientation, physical disability, mental disability, marital status, family status, source of income, age, ancestry, place of origin, gender identity, gender expression, or as otherwise set out in the Alberta Human Rights legislation.

	<p><b>Sexual Harassment:</b> Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Incidents of sexual harassment include, but are not limited to, situations when:</p> <ul style="list-style-type: none"> <li>• Such conduct has the purpose or effect of interfering with an employee's work performance or a student's academic performance, or creating an intimidating, hostile, or offensive working or learning environment;</li> <li>• Submission to such conduct is made either explicitly or implicitly a term or condition of employment, or of the teaching and learning process; or</li> <li>• Submission to or rejection of such conduct is used in employment or academic decisions affecting that employee or student.</li> </ul> <p>Examples of sexual harassment include but are not limited to unwelcome comments or conduct of a sexual nature such as leering, "dirty" jokes, gestures, pictures or pornographic materials, comments, suggestions, innuendos, requests or demands of a sexual nature. The behavior need not be intentional in order to be considered sexual harassment.</p> <p>Complaints that are covered by the G09 Sexual &amp; Gender-Based Violence policy may be referred to that policy and its procedures instead of this policy and procedure.</p>
<b>Related Information:</b>	G02 Code of Conduct G09 Sexual & Gender Based Violence Procedures G15 Occupational Health & Safety I07 Student Code of Conduct Policy I07 Reporting, Investigations & Outcomes Procedure I07 Student Disputes, Complaints & Appeals Procedure
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