Policy and Procedure:

Renison University College (RUC) is committed to maintaining a fair and equitable environment that is free of Harassment, Discrimination, and Abuse. RUC believes that all persons deserve to be treated with respect, dignity, and compassion. In light of these commitments, RUC is dedicated to providing a safe, healthy, and supportive work environment that protects all RUC Members. Accordingly, Harassment, Discrimination, and Abuse are not tolerated at RUC. Each RUC Member is responsible for helping to create an environment which is free from Harassment, Discrimination, and Abuse.

RUC believes that preventing and responding to Harassment, Discrimination, and Abuse are joint responsibilities of the organization, those who work within it, and those who lead it as Board Members.

If any RUC Member reports to the Harassment and Discrimination Officer (“HDO”) that another RUC Member has been subjected to Harassment, Discrimination, or Abuse within the meaning of this Policy, then the Harassment, Discrimination, and Abuse Procedures below shall apply, regardless of whether the alleged Complainant wishes to pursue a Complaint.

Moreover, if the HDO detects, at any point in their Investigation under the Harassment, Discrimination, and Abuse Procedures, evidence that an RUC Member has been subjected to Harassment, Discrimination, or Abuse within the meaning of this Policy, then the Harassment, Discrimination, and Abuse Procedures below shall apply, regardless of whether the alleged Complainant wishes to pursue a Complaint.

Note: for issues related to Workplace or Domestic Violence, please refer to the Workplace Violence Prevention Policy and Program, located in the Human Resources folder found in the Shared Documents file under Manual of Administrative Policies and Procedures on SharePoint.

Reprisals

A Reprisal against an individual is prohibited and will be treated as a violation of this Policy. A Reprisal is any act against an individual for having:
(a) invoked this Policy (whether on behalf of oneself or another individual);
(b) participated or cooperated in any process or procedure under this Policy; or
(c) been associated with a person who has invoked this Policy.

Harassment, Discrimination, and Abuse Procedures

These Procedures will be guided by the following principles:

1. All parties are entitled to fairness.
2. Complainants, Respondents, and Witnesses will be treated according to the principles of natural justice.
3. Every effort will be made to safeguard the rights of both the Complainant and the Respondent.
4. Complaints will be dealt with expediently and effectively.
5. Complainant and Respondent have the right to an impartial hearing, and to seek remedies for any wrong that may have been done.
6. Respondents have the right to know both the allegations against them and the identity of the Complainant, and to respond to Complaint through the process described in these Procedures.
7. Strict confidentiality must be maintained by all parties to proceedings under these Procedures at all stages, in accordance to the Confidentiality and Record Keeping procedures listed in this policy.

For all steps under these Harassment, Discrimination, and Abuse Procedures, if the Human Resources Director is implicated in the allegations, the party(ies) should substitute the President or the President’s Designate. If the President or the President’s Designate is implicated in the allegations, the party(ies) should substitute the Board Chair. Where the Board Chair and/or the Vice-Chair are implicated in the Incident, a suitable designate will be selected and agreed upon by both parties.

Further, RUC and/or its applicable representatives, may at any stage in the following Procedures, in their sole discretion, hire an external Investigator to implement the Procedures. If an Investigator is so hired, then the party(ies) should substitute the Investigator for the HDO.

At all times, but subject to the requirements of confidentiality contained in this policy, the involved RUC Member(s) is encouraged to keep a detailed record of the alleged Harassment, Discrimination, and/or Abuse including dates, times, locations, and witnesses.

At any stage of the proceedings the Complainant and/or the Respondent may be accompanied by a support person of their choice.

All timelines in the following Harassment, Discrimination, and Abuse Procedures are subject to the availability of personnel, and may be extended because of scheduling demands or if concerns involve people who are not easily accessible due to geographical distance, leaves of absence, or other unforeseeable events.
Note: The Harassment, Discrimination, and Abuse procedures are outlined with the supposition that the party(ies) involved are not members of the Board or students; in such cases, the role of the HDO will not change; however, the role of the HR Director and/or the President will be subject to the following adjustments:

In the event that allegations of Harassment, Discrimination or Abuse are brought forward by a student, the Vice-President Academic and Dean or the Vice-President of Student Affairs and Community Education, or designates as required, and the Director of Human Resources and Infrastructure shall conduct the investigation. Any discipline will be administered in accordance with Student Discipline Policies.

In the event that an RUC Board Member is implicated in the allegation(s), the Board Chair, Vice Chair, or Past Chair will replace the Human Resources Director and President in the following procedures. For allegations in which the Board Chair is implicated, those with concerns will raise their concerns with the Vice-Chair who will act in consultation with the Past-Chair or their designate. In this event, the Vice-Chair or their designate will exercise the Board Chair role as outlined in this Policy. When the Vice-Chair is implicated, those with concerns will raise their concerns with the Board Chair who will act in consultation with the Past-Chair or their designate. If both the Vice-Chair and Board Chair are implicated and/or if all three are implicated (Board Chair, Vice-Chair, and Past-Chair) then others from the Board will be chosen to play these roles for the purposes and duration of the Policy’s implementation. Should this occur, a Board meeting will be called to choose new designates. Those who are implicated will recuse themselves from this meeting.

STEP 1: Complaint and Immediate Action

Where an RUC Member (the “Complainant”) believes that they have been the subject of Discrimination, Harassment, or Abuse by another RUC Member (the “Respondent”) (an “Incident”) the RUC member is encouraged to clearly request that the offending party immediately stop such behaviours, but only if they are comfortable doing so. RUC Members observing an Incident involving other RUC Members are encouraged to respond to such actions by clearly requesting that the alleged Respondent(s) immediately stop such behaviours and by filing a Complaint of the Incident, as described below.

In any event, a Complainant who believes they have been the subject of an Incident should take the following action:

1. Report the Incident to the HDO as soon as possible after the alleged Incident occurs (the “Complaint”). The HDO will invite the Complainant to prepare a written version of the Complaint. Where appropriate, the HDO will proceed with the Investigation even if the Complainant chooses not to prepare a written version of the Complaint. A written Complaint shall include the following information:

   (a) name of the Complainant(s) and contact information;

   (b) name of the Respondent(s), their role in the RUC community, and contact information;

   (c) name of Witness(es), if any, or other persons with relevant information to provide about the Incident(s), if any, and contact information;

   (d) details of what happened, including date(s), frequency, and location(s) of the alleged Incident(s);
any supporting documents the Complainant has in their possession that are relevant to the Complaint; and

list of any documents relevant to the Complaint that a Witness, other person, or the Respondent may have in their possession.

2. Within two (2) weeks of filing the Complaint and consulting with the HDO, the Complainant may elect to either:

(a) withdraw the Complaint and take no further action;

(b) speak directly with the Respondent;

(c) attempt to resolve the matter according to Conflict Management Procedures; or

(d) proceed directly to the Step 2: Formal Investigation.

All Complainants shall be encouraged by the HDO to explore the possibility of mediation. As mediation is voluntary, the Complainant and/or the Respondent may choose not to participate.

Note that if the Complainant chooses to withdraw the Complaint, to proceed under the Conflict Management Procedures, to pursue mediation, or to resolve the Incident in any other way, the HDO may still be required to proceed with an Investigation appropriate in the circumstances, as set out below. That is, if the HDO determines that it is in the best interest of RUC and the safety of its Members to proceed with the investigation, they will be obligated to do so.

**Step 2: Formal Investigation**

The HDO will assess the Complaint, and will commence an appropriate Investigation within fifteen (15) working days, guided by the following steps:

1. Inform the President that they have received a Complaint, an Investigation has been initiated, and the Harassment, Discrimination, and Abuse Procedures are being followed. Any individual on the HDC involved in the Complaint (as Complainant, Respondent, or Witness), will recuse themselves from the Committee for the duration of the Investigation.

2. Inform the parties in writing that an Investigation has been initiated. The HDO will inform the Respondent of the allegations, the identity of the Complainant, and the right to respond to the Complaint(s).

3. Determine whether it is safe for the parties to resume their role prior to the completion of the Investigation. If necessary, the HDO, in consultation with the Human Resources Director and President, will excuse the Complainant and/or Respondent until further notice or pending the outcome of the Investigation.

(a) Where the Human Resources Director is implicated in the Incident, require them recuse themselves and substitute the President or the President’s Designate. Where the President and/or the President’s Designate is implicated in the Incident, require them to recuse themselves and substitute the Board Chair and/or the Vice-Chair. Where the Board Chair and/or the Vice-Chair are implicated in the Incident, a suitable designate will be selected and agreed upon by both parties. As noted above, the RUC and/or its
representative may, at any time and in their sole discretion, hire an external Investigator to enforce these Procedures.

4. Interview any person involved in the Incident including, but not limited to, the Complainant, the Respondent, and any Witnesses to the Incident(s), as listed in the Complaint or as otherwise determined by the HDO during their Investigation of the Incident.

(a) Prior to interviews under step 4, the party to be interviewed must disclose if they plan to have someone accompany them; and, if so, the name of the individual and their expected role in the interview.

5. All information collected by the HDO during the Investigation or any other circumstances related to the Complaint will be held in confidence according to the Confidentiality section, below.

6. Within one week of having reached a conclusion in the Investigation, the HDO shall make a finding as to whether there has been a violation of this Policy by either the Complainant or the Respondent, and shall report that finding to the President and the Human Resources Director (the “Report”). The Report will include the following:

(a) A statement regarding the finding of the Investigation: Did the Incident occur? To what degree did the Incident impact the personal dignity, work relationships and/or working climate? By whom? What factors contributed to the Incident? What was the impact of the Incident?

(b) Recommendations regarding further actions to address the contributing factors to the Incident so as to minimize the risk of reoccurrence. Recommendations will also restore and, where possible, resolve the matter with those involved, and to the greatest extent possible, return the workplace and RUC community to health.

(c) If the Investigation substantiates the alleged Incident, recommendations for corrective and/or remedial action, as applicable. Once communicated to and approved by the necessary parties, any corrective and/or remedial action will be carried out within fourteen (14) working days of the Report, unless an appeal is filed.

(d) If the Investigation reveals evidence that the Complaint was made in bad faith or with vexatious intent, recommendations for corrective action will be made regarding the Complainant. Once communicated to and approved by the necessary parties, any corrective action will be carried out within fourteen (14) working days of the Report, unless an appeal is filed.

(e) Examples of corrective action under (c) or (d) include but are not limited to:

(i) verbal or written apology;

(ii) written reprimand;

(iii) barring contractors from future bids;

(iv) barring from campus;

(v) transfer;
(vi) demotion;

(vii) suspension (with or without pay);

(viii) mandatory training/education; or

(ix) dismissal.

(f) Examples of remedial action under (c) include but not limited to:

(i) a written apology;

(ii) restoration of employment position or academic status;

(iii) provision of counselling; or

(iv) reconsideration of any decision concerning the Complainant which may have been affected by the Incident, for example, a merit increase or a promotion.

(g) Examples of other actions to support the parties and/or the health of the RUC community under (b), (c), and (d) include but are not limited to:

(i) mediation;

(ii) leadership and/or conflict coaching;

(iii) organizational review and/or organizational development;

(iv) policy development and/or revision; and/or

(v) education/training.

7. The HDO will inform the Complainant and the Respondent of the results of the Investigation and of any corrective action that is being taken as a result of the Investigation. The Report is the Property of RUC and the Complainant and the Respondent will not be entitled to a copy of the HDO’s Report, other than as required by law.

8. The Complainant or the Respondent may appeal the results of the Investigation (the “Appellant”) by stating their reasons in writing and submitting them to the President and Human Resources Director within fourteen (14) days after receiving the outcome of the Investigation (the “Appeal”). If an Appeal is filed, the following process shall apply:

(a) Within thirty (30) days of receiving the Appeal, the President and Human Resources Director will request an external Arbitrator to review the Investigation and the Report and make a decision regarding the quality thereof. The Arbitrator may choose to re-interview the parties involved.

(b) The Complainant and the Respondent will be given an opportunity to have input with regard to the selection of the Arbitrator. The President and Human Resources Director will make the final decision regarding the selection of the Arbitrator.
(c) The Arbitrator will provide the President and Human Resources Director with a written decision as to the Appeal within thirty (30) days of being retained to adjudicate the Appeal (the “Decision”).

(d) Within thirty (30) days of receiving the Decision, the President and Human Resources Director will provide copies to the Complainant and the Respondent.

(e) The Decision is final and there may be no appeal therefrom.

Scope:
This Policy may be used by and applies to all RUC Members, which includes:

1. RUC Faculty and Staff;
2. RUC Students (includes Renison registered students, students in Renison courses, students taking courses at Renison, and students in residence at Renison);
3. RUC Board Members;
4. RUC volunteers; and
5. persons from other organizations or individuals who are employed by RUC for specific tasks or services.

Application of this Policy is subject to the Ontario Occupational Health and Safety Act, the Ontario Human Rights Code, the Criminal Code, and any other applicable legislation.

Should the need arise, the President, the Harassment and Discrimination Committee (“HDC”), or the HDO (with the consent of the President) may seek legal assistance from RUC’s legal counsel on the meaning and operation this Policy and on their role and obligations under it.

Nothing in this Policy prevents an individual from pursuing their rights under the Ontario Human Rights Code or from seeking legal representation.

Responsibilities:

The RUC and the HDC will, as applicable:

• conduct regular risk assessments of the workplace, establish control measures to minimize identified risks, and integrate safe and healthy behaviour into day-to-day operations;
• post this Policy on the RUC website to ensure its accessibility;
• train and educate all Staff and Faculty members on this Policy, at the time of their initial orientation and on an ongoing basis, to support conflict-healthy behaviour and awareness with regard to Harassment, Discrimination, and Abuse;
• review this Policy on a regular basis (at minimum, annually) and, if necessary, make recommendations to the RUC President’s Cabinet and ultimately to the Board of Governors for changes in the Policy; and
endeavour to ensure that the RUC community is informed about Harassment, Discrimination, and Abuse and their consequences by:

- ensuring that this Policy is available in written form and posted at a conspicuous place accessible to students, staff, faculty, and Board Members;
- organizing workshops and other events designed to educate the RUC community about Harassment, Discrimination, and Abuse; and
- ensuring that managers, supervisors, instructors, Board Members, and other individuals in positions of authority are aware of their rights and responsibilities under this Policy.

Managers and Supervisors will:

- conduct themselves in accordance with this Policy;
- attend training sessions offered by RUC;
- support awareness and prevention efforts;
- raise concerns regarding violations of this Policy and its underlying causes;
- be attentive for potential incidents of Discrimination, Harassment, or Abuse that require attention under this Policy;
- respond to Complaints of Discrimination, Harassment, or Abuse under this Policy; and
- adhere at all times to the Confidentiality and Record Keeping requirements of this Policy.

All RUC Members will:

- conduct themselves in accordance with this Policy;
- attend training sessions offered by RUC;
- support awareness and prevention efforts;
- raise concerns regarding violations of this Policy and its underlying causes;
- report those potential incidents of Discrimination, Harassment, or Abuse to the HDO;
- promote respectful behaviour;
- adhere at all times to the Confidentiality and Record Keeping requirements of this Policy; and
- co-operate in any investigations under this Policy.
Definitions:

**Discrimination:**

Discrimination includes, but is not limited to, a differential act, system, or behaviour that imposes a disadvantage, withholds an advantage, or differentiates between individuals or groups on the basis of any Protected Ground: race; ancestry; place of origin; colour; ethnic origin; citizenship; creed/religious beliefs; sex (including pregnancy); sexual orientation; gender identity; gender expression; age; record of offences; marital status; family status; or disability.

**Harassment:**

Engaging in a course of vexatious comment or conduct against an RUC Member that is known or ought reasonably to be known to be unwelcome, whether or not it is based on a protected ground; or workplace sexual harassment.

Some examples of this type of behaviour include teasing, intimidating or offensive jokes or innuendos, display or circulation of offensive pictures or materials, unwelcome, offensive, or intimidating phone calls, bullying, leering, unwelcome gifts or attention, offensive gestures, yelling, verbal assault, belittling another’s opinions, ignoring or excluding another, sabotaging another’s work, threatening comments, spreading malicious rumours, or maliciously alleging harassment by another.

Harassment does not include reasonable challenges to work performance, negative job-related feedback that is meant to improve performance to an acceptable standard, classroom assignments, or other reasonable action taken relating to the management and direction of RUC Members covered by this Policy.

**Sexual Harassment:**

Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

**Abuse:**

**Physical Abuse** is defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling, or the abusive use of restraints.
**Sexual Abuse** is defined as but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism or exploitation for profit including pornography.

**Emotional Abuse** is defined as but not limited to a chronic attack on an individual’s self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoating, or blaming.

**Verbal Abuse** is defined as but not limited to humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs.

**Psychological Abuse** is defined as but not limited to communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.

**Confidentiality**
RUC understands that it may be difficult to come forward with a Complaint and recognizes that a Complainant, or a Respondent may wish to keep the matter confidential. To protect the interests of all parties, confidentiality will be maintained throughout any process or procedure described in this Policy. Information about a Complaint, or an Incident will not be disclosed except as set out in the Procedures above, and as required by law. Failure to comply with these confidentiality requirements by any individual is a violation of this Policy and will be subject to disciplinary action, up to and including termination of employment.

**Record Keeping**
Any records under the Harassment, Discrimination, and Abuse Procedures above will be retained in a sealed file kept by the Office of the President. Where a disciplinary letter and supporting documentation is retained in these records as a result of an Investigation, the file shall have a code on its exterior to identify the contents. The President shall maintain a separate secure confidential file, which relates the code to a description of the contents of the sealed file in sufficient detail to identify the nature of the complaint that led to the creation of the file. No person other than the President, the Complainant, or the Respondent, as applicable, shall have access to the sealed file.

The sealed file and its contents will not be disclosed unless disclosure is:

- necessary to investigate another Incident or Complaint;
- otherwise required by law; or
- necessary to take disciplinary action on the basis of evidence contained in the sealed file. In which cases, the evidence in the file may be reviewed by the parties to the disciplinary process and the parties to any grievance or arbitration proceedings challenging such actions.

No copies of any document contained in the sealed file may be made, except for the purpose of disciplinary actions taken or for the purposes of grievance or arbitration proceedings challenging such actions.
Notwithstanding the above, any disciplinary letter and supporting documents retained by RUC shall be removed from the sealed file and destroyed if no further disciplinary measures have been imposed on the respondent on grounds of Harassment, Discrimination, or Abuse for a period of ten years subsequent to the date of such letter.

Counselling

All parties will be encouraged to obtain counselling. At the request of either party, RUC will assist in any way deemed reasonable by RUC in its sole discretion.

References and Related Policy, Procedure, Guideline or Form:
- Conflict Management Policy
- Workplace Violence Prevention Policy and Program

Attachments:
- Appendix A – Harassment, Discrimination, and Abuse Prevention & Conflict Resolution Guide
- Appendix B – Harassment and Discrimination Committee

Review / Revision History

<table>
<thead>
<tr>
<th>Revision No.</th>
<th>Date</th>
<th>Description</th>
<th>Approved By</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>May 29, 2019</td>
<td>Issued</td>
<td>Board of Governors</td>
</tr>
<tr>
<td>1</td>
<td>March 11, 2021</td>
<td>Updated to correct the procedure in Step 2 to indicate that the President, and not the Committee, should be notified</td>
<td>MDG and President’s Cabinet.</td>
</tr>
</tbody>
</table>
Appendix B: Harassment and Discrimination Committee

A standing committee of the Renison University College President’s Cabinet has been established to:

1. assist the Harassment/Discrimination Officer in providing an educational program for the College;
2. participate in the Formal Resolution Process, and
3. review the Harassment, Discrimination and Abuse policy on a regular basis (at minimum, annually) and make recommendations for revisions to the President’s Cabinet for changes in the policy or the procedures outlined within.

Constitution:

The Committee will consist of the Chair who will serve as the Harassment/Discrimination Officer (ex-officio), one (1) staff, two (2) full-time faculty, one (1) part-time faculty, one (1) representative from Renison Academic Student Council (non-Academic Council), one (1) representative from the Bachelor of Social Work Student Council (non-Academic Council), one (1) non-degree student, one (1) staff representative from Community and Professional Education (CAPE), and one (1) staff from Student Affairs. The staff members, faculty members and the students are appointed by the Renison University College President’s Cabinet. Term of membership will be two (2) years with the exception of degree student members who will serve a one (1) year term, and non-degree (CAPE) students who will serve per academic term. The Chair is to be elected by the Committee membership from within the Committee.