



## HARASSMENT POLICY



This policy was adopted for the first time by Board of Governors' resolution Number 2166, on October 22, 2004 and subsequently amended by resolutions:

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2869 November 26, 2014

2820 March 21, 2014

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## 1. PREAMBLE

The College recognizes the right of dignity for every person and the respect of individual differences as inherent values to a diverse community. It also promotes (recognizes the value of the) physical and psychological well-being of every individual at the College, where each person has the right to a work/study-related environment free from harassment.

The Harassment Policy (hereinafter “the Policy”) whose purpose is to prevent certain situations from evolving into harassment and as the case may be, put an end to harassment, in the context of:

- a) the mission of the College<sup>1</sup>;
- b) the values of the College<sup>2</sup>;
- c) the College’s Code of Student Conduct; and
- d) the legal obligations of the College, namely by virtue of the *Loi sur les normes du travail*, the *Canadian Charter of Human Rights and Freedoms*, the *Charte québécoise des droits et libertés de la personne*, the Bylaw Number 4 Concerning the Management of Human Resources, the Collective Agreements and the Working Conditions for faculty and staff.

## 2. PURPOSE

The purpose of the Policy is:

- a) to foster an awareness in every member of the College community regarding the standards of conduct to which the College adheres and finds acceptable;
- b) to provide a healthy work and study environment free of harassment;
- c) to encourage and facilitate prompt resolution of situations that may evolve into harassment;
- d) to favour a healthy and harmonious climate;
- e) to address situations of harassment.

## 3. SCOPE

This Policy has been developed in the context of article 81.19 of the *Loi sur les normes du travail*; Article 10.1 of the *Charte québécoise des droits et libertés de la personne*; Bylaw Number 4 concerning the Management of Human Resources; the Collective Agreements and Working Conditions for faculty and staff.

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<sup>1</sup>The College is dedicated to fostering the individual success of its students and their development as well-rounded, responsible and informed citizens of the world.

<sup>2</sup> The College’s values are: Respect for all individuals, manifested through open communications and a commitment to fairness, justice and honesty; Caring through compassion, courtesy and friendliness and a commitment to the wellness of students, faculty and staff; Stewardship through the responsible and effective use of human, physical, environmental and financial resources; and A sense of community and tradition within and among all locations of the College.

The Policy applies to every member of the College community (students and employees irrespective of their functions), at all times, regarding activities organized, authorized or supervised by the College, both within and outside the institution.

The normal exercise of management rights by the employer does not constitute harassment.

#### **4. DEFINITIONS**

##### **Assessor**

An individual named to proceed to the analysis of admissibility of a formal complaint, namely to determine whether a harassment complaint meets the definition of harassment and is within the parameters of the Policy.

##### **Campus Director**

The person who holds this position on each Campus as well as the Director of Financial Services at College Administration.

##### **College Community**

Comprises of faculty, support staff, professionals, and managers, as well as visitors, independent contractors and suppliers present on College premises.

##### **College Manager**

Any member of the management personnel of the College.

##### **Complainant**

The employee or student subject to inappropriate and/or offensive behavior, and who informs a College Manager. This person may file a formal harassment complaint according to the Policy.

##### **Concerned Party**

An individual who is subject or witness to behaviours or comments which are disrespectful or inappropriate.

##### **Harassment**

Pursuant namely to Section 81.19 of the *Loi sur les normes du travail*, this Policy defines psychological harassment as any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's/student's dignity or psychological or physical integrity and that results in a harmful work/study environment for the employee/student. A single serious incidence of such behaviour that has a lasting harmful effect on an employee/student may also constitute psychological harassment.

Harassment also includes the notions of bullying and mobbing.

**Institution**

This term includes the campuses and all common areas under the responsibility of the College including the cafeterias, parking lots and any other area where a student or an employee is during an activity related to work or study and sanctioned as such by the College (for example: seminars, conferences, meetings and social activities).

**Investigator**

An individual named by the Campus Director to conduct an investigation to determine if the harassment complaint is totally or partially founded, or not founded. The investigator, who conducts an investigation must, in all instances, be a different person than the Assessor.

**Mediator**

An third party, judged to be impartial and having the appropriate training in the field, whose role is to assist both parties in reaching an agreement.

**Person Called into Question**

The individual whose words or actions are deemed inappropriate or offensive to others and who's behaviour has been reported. If a formal complaint is filed against that person, they are then referred to as the "Respondent".

**Reprisals**

Behaviours, gestures or actions that injure a person who, in good faith and based on personal convictions, used the Policy to communicate a situation or to complain about what was considered as a violation of the Policy. Reprisals are prohibited and are considered a violation of the Policy in the same way as harassment.

**Resource Person**

An individual identified as such, and who has received the appropriate training by the College, to assist a person needing support or information concerning the application of the Policy.

**Respondent**

A person who is subject to a harassment complaint.

**Witness**

A person who observes a situation where a person is subject to behaviours or comments deemed inappropriate or offensive.

**5. RESPONSIBILITIES**

5.1 The Board of Governors approves this Policy and its revisions.

- 5.2 The Director of Human Resources/Secretary General:
- assumes responsibility for the evaluation and revision of the Policy as needed and decides, in collaboration with the Campus Director, the appropriate prevention measures;
  - advises, if need be, the Campus Director;
  - ensures that all those who are entrusted with special responsibilities under this Policy have the information, training and support they need.
- 5.3 The College Manager:
- fosters a healthy and safe work/study environment, free of harassment;
  - takes the necessary means to address situations which are deemed inappropriate;
  - intervenes rapidly in order to resolve problematic situations brought to their attention;
  - may act as a Resource Person.
- 5.4 The Campus Director, in accordance with the objectives specified in collective agreements and regulations concerning working conditions:
- sees to the promotion, dissemination and implementation of the Policy;
  - ensures that third parties in relation with the College are informed about the College expectations;
  - decides, with the Human Resources Director/Secretary General, the prevention measures;
  - decides on the necessary actions when a person reports a situation has not been settled or if a formal complaint is filed;
  - appoints, if deemed appropriate, a mediator;
  - appoints, if required, an assessor and/or an investigator;
  - takes the necessary action following receipt of the assessor's and/or investigator's report;
  - informs the complainant of the conclusion of the assessor's report;
  - advises, in writing, the complainant and the respondent of the results of the investigation;
  - may provide the parties with a summary of the outcome of the mediation report;
  - decides what follow-ups need to be done or what actions need to be taken:
    - when a complaint is not admissible or not founded;
    - when a complaint is not admissible or not founded and the issue still needs to be addressed;
    - in the event there are reasonable grounds to believe that the Policy was violated even in the absence of a formal complaint.

- 5.5 The Concerned Party
- communicates their objection or unease directly to the Respondent with the objective to cease the unwanted behaviour;
  - may solicit the assistance of a Resource Person;
  - contacts a College Manager (the immediate supervisor, if this is possible and if the supervisor is not directly involved) so that measures be taken in order to stop the situation deemed to be problematic;
  - may address the Campus Director if dissatisfied with the results or the progression towards resolving the situation;
  - files a complaint with the Campus Director.
- 5.6 The Complainant
- completes the Harassment Complaint Form, if they wish to file a formal complaint;
  - cooperates in the investigation or mediation process.
- 5.7 The Resource Person
- listens to the Concerned Party, Complainant or Witness;
  - provides information regarding the rights, the different approaches and recourses available;
  - may offer support in the search of a solution;
  - directs the person towards other resources (such as, but not exclusively, Employee Assistance Program, a College Manager, a Counsellor in Student Services, the Campus Director).
- 5.8 The Personnel, Students, and Others

Any person subject or witness to a situation of incivility or to an inappropriate or offensive behavior has the responsibility to report it to a College Manager or the Campus Director.

The person may also seek the assistance of a Resource Person.

A person living a situation of harassment may also complete a formal complaint form which is filed with the Campus Director's Office, or with the Director General if the Campus Director is involved.

Everyone (students, employees, representatives, union delegates and third parties) must read and understand the Policy, adhere to the principles described, maintain and promote appropriate standards of conduct, be informed, participate in information activities offered on harassment and serve as role models so that all have the opportunity to work or study in an environment free of harassment.

All employees of the College entrusted with responsibilities under this Policy must participate in the training sessions offered to further develop their abilities and update their knowledge.

## **6. PROCEDURE (STEPS)**

The person who believes to be subject or witness to behaviours which may violate this Policy, has different options to disclose the situation, namely, a preliminary approach or a formal approach, which are described in the document entitled, "Guide for the Application of the Harassment Policy".

### **Other recourses**

The resolution procedures described in this Policy do not prevent someone from resorting to other recourses according to the conditions and the delays provided by the legislation, collective agreements (grievances), regulations, rules of conduct applicable to students, policies and agreements (work or service) in effect at the College.

## **7. FRIVOLOUS, BAD FAITH OR MALICIOUS COMPLAINTS**

Complaints filed frivolously or maliciously or in bad faith or with the intent to cause harm or prejudice could lead to administrative and/or disciplinary measure(s).

## **8. DISCRETION**

All complaints will be treated in a discrete and confidential manner at all steps of the process except if it is necessary to disclose information during the process of addressing the complaint (for example: during an investigation, when the investigator must speak with the respondent and the witnesses or during any public hearing before a grievance arbitrator or other tribunal).

Under the provisions of this Policy, every person, within the prescribed limits, must respect the confidentiality and must reiterate their engagement, in writing, when requested to do so.

## **9. CONSERVATION OF DOCUMENTS**

The Campus Directors at their respective locations are responsible for the conservation of all harassment files. At the end of a mediation or investigation, the mediator or the investigator will transmit all relevant documents to the Campus Directors at their respective locations.

The documents will be maintained in confidential files and will be accessible to the Campus Directors at their respective locations as well as to the Director, Human Resources/Secretary General in the event of subsequent legal recourse by the complainant or the respondent.



The Resource Person or the College Manager is responsible for the conservation of all complaint files that did not result in a formal complaint or that have been resolved without the need for an investigation. These documents will be maintained in confidential files and will be accessible to the Campus Directors at their respective locations as well as to the Director, Human Resources/Secretary General in the event of subsequent legal recourse by the complainant or the respondent.

The documents will be kept for a period of ten (10) years in conformity with the Conservation Calendar in effect for all judgments, grievances, complaints and out-of-court settlements.

## **10. POTENTIAL REPERCUSSIONS**

A violation of the principles described in this Policy may entail various corrective measures (administrative and/or disciplinary), according to the situation and, as the case may be, according to the applicable provisions (for example: collective agreements and regulations on working conditions). These measures include namely:

- elimination of the source(s) of harassment;
- counselling or coaching;
- training;
- reprimand (verbal or written);
- demotion;
- exclusion from the environment (temporary or permanent);
- transfer;
- suspension;
- discharge;
- termination of contract (if third party).

## **11. EVALUATION AND REVISION OF THE POLICY**

The Director of Human Resources/Secretary General is responsible for the evaluation and the revision of the Policy, every 5 years or before, if need be.

# CHAMPLAIN REGIONAL COLLEGE

OF GENERAL AND VOCATIONAL EDUCATION



## ***GUIDE FOR THE APPLICATION OF THE HARASSMENT POLICY***

This guide was adopted for the first time by the Director General's Advisory Committee (DGAC) on November 4, 2014.

## 1. PURPOSE:

The purpose of this document is to set the administrative processes to guide managers and personnel, students and other members of the College community in the application of the *Harassment Policy* in conformity with the *Loi sur les normes du travail*. The perspective of the law is to provide for early intervention and the College Harassment Policy addresses situations both in early intervention and corrective mode.

## 2. DEFINITIONS:

- 2.1. A *Concerned Party* is a person who is subject to behaviours or comments which are disrespectful or inappropriate.
- 2.2. A *Witness* is a person who observes a situation where an employee or a student is subject to behaviours or comments deemed inappropriate and which may constitute [Harassment](#).
- 2.3. The *Person Called into Question* is someone whose words or actions are deemed inappropriate or offensive to others. This person may become the [Respondent](#) if a formal [Harassment Complaint](#) is filed.
- 2.4. *Harassment* is defined pursuant to Section 81.19 of the *Loi sur les normes du travail*. In this context, psychological harassment is defined as any **vexatious behaviour** in the form of **repeated** and **hostile or unwanted** conduct, verbal comments, actions or gestures, that **affects a person's dignity or psychological or physical integrity** and that results in a **harmful work/study environment** for the employee/student.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee/student may also constitute psychological harassment.

Harassment also includes the notions of [Bullying](#) and [Mobbing](#).

- 2.5. *Bullying* is the use of force, threat, or coercion to abuse, intimidate, or aggressively impose domination over others. The behavior is often repeated and habitual and used to assert such domination. Bullying can include verbal harassment or threat, physical assault or coercion, and such acts may be directed repeatedly towards particular targets. If bullying is done by a group, it is called [Mobbing](#).
- 2.6. *Mobbing* is when [Bullying](#) is done by a group (see definition of [Bullying](#)).
- 2.7. A *College Manager* is any member of the management personnel of the College.
- 2.8. The *Resource Person* is an individual identified as such, and who has received the appropriate training by the College, to assist a person needing information or support concerning the application of the Harassment Policy.
- 2.9. The *Observer* is a person sought by a [Concerned Party](#), a [Witness](#), a [Person Called into Question](#), a [Complainant](#) or a [Respondent](#) to be present during a meeting with either a [Resource Person](#), a [College Manager](#), a [Mediator](#), an [Assessor](#) or an [Investigator](#).
- 2.10. A *Harassment Complaint* is a formal approach aimed at addressing a situation which is deemed as [Harassment](#) by a [Concerned Party](#).

- 2.11. The *Complainant* is the employee or student, who believes to be subject to offensive or inappropriate behaviour which can lead to or amount to [Harassment](#). This person may file an official [Harassment Complaint](#) according to the Harassment Policy.
- 2.12. The *Respondent* is the individual who is the author of an offensive or inappropriate behaviour or alleged to have committed an act of [Harassment](#); hence subject to a [Harassment Complaint](#).
- 2.13. The *Assessor* is an individual named to determine whether the [Harassment Complaint](#) is admissible based solely on the allegation as to whether it meets the definition of [Harassment](#), and therefore remains within the parameters of the Policy.
- 2.14. The *Investigator* is an individual named to conduct a complete investigation to determine if the [Harassment Complaint](#) is totally or partially founded, or not founded.
- 2.15. The *Mediator* is an impartial third party with the appropriate training, whose role is to formally assist both parties to reach an agreement.

### 3. GUIDING PRINCIPLES:

- 3.1. As per the Harassment Policy, it is imperative that everyone assume their responsibility, whenever possible, in addressing a situation they are either living or witnessing which is deemed inappropriate in the spirit of acting proactively to prevent a problematic situation from deteriorating and evolving into [Harassment](#).
- 3.2. The [Concerned Party](#) and/or the [Witness](#) should be assisted in understanding his/her rights and responsibilities and treated with respect and dignity.  
  
They should also be assisted in addressing the issue(s). It is essential that this be done with the least amount of exposure to protect him/her from further discomfort.
- 3.3. The [Person Called into Question](#) who can become the [Respondent](#) once a formal [Harassment Complaint](#) is filed, has the right to due process and must be treated with respect and the accusations against him/her treated with confidentiality. A [College Manager](#), including the Campus Director and HR Managers, or the [Investigator](#) can provide assistance in understanding the situation, his/her rights and responsibilities.
- 3.4. The [Resource Person](#) is a volunteer, and as such, should be supported with the proper training and ensured that s/he will receive any additional support needed.
- 3.5. A [Concerned Party](#) or a [Witness](#), when faced with incivility or an inappropriate or offensive behaviour would, ideally but not limited to, refer to:
  - his or her immediate supervisor; or
  - a Manager of Human Resources when an employee of the College; or
  - a Manager of Student Services or Pedagogical Services when a student of the College.
- 3.6. Given the [College Manager](#) has managerial responsibilities, s/he must implement the appropriate corrective measures and provide assistance to the [Concerned Party](#) once informed of a problematic situation. As such, it is important for him/her to remain objective throughout the process.
- 3.7. At any step during the process the [Concerned Party](#), [Witness](#), [Person Called into Question](#), [Complainant](#) or [Respondent](#) may choose to be accompanied by an [Observer](#).

**4. PROCEDURES:**

- 4.1. A student or an employee, namely a [Concerned Party](#) or a [Witness](#) to a situation(s) deemed inappropriate, offensive or that infringes on one's integrity and dignity, may inform the person demonstrating such behavior ([Person Called into Question](#)) of the discomfort experienced by those actions, words or attitudes.
- 4.2. Should the situation persist after sharing the concerns with the [Person Called into Question](#) or should the [Concerned Party](#) or the [Witness](#) be unable to address the situation with the [Person Called into Question](#), assistance may be sought from a [College Manager](#) or a [Resource Person](#) towards resolving the situation(s).
- 4.3. A [College Manager](#) or [Resource Person](#) will offer guidance and assistance to the [Concerned Party](#) or the [Witness](#). S/He will also support them in exploring options to diffuse or resolve the situation(s) and prevent it from evolving into a situation of [Harassment](#).
- 4.4. A [Concerned Party](#) or [Witness](#) should signal to a [College Manager](#) any problematic situation before it evolves into [Harassment](#) in order for corrective measures to be applied in conformity with the comfort zone of each individual. Appropriate means will also be provided to the [Concerned Party](#) to help resolve the situation.
- 4.5. When faced with a problematic situation the College strongly encourages that it be brought to the attention of a [College Manager](#) for proper assistance and intervention. This action will delay the 90-day prescription to file a [Harassment Complaint](#) should it not be resolved.
- 4.6. After having sought assistance from a [College Manager](#) or a [Resource Person](#), a student or an employee, hereafter identified as a [Complainant](#), faced with a situation they perceive as [Harassment](#), can make a formal written [Harassment Complaint](#) to the Campus Director.
- 4.7. A Campus Director who receives a written [Harassment Complaint](#) can suggest mediation or can mandate an [Assessor](#) to determine whether it is admissible; namely if it meets the definition of [Harassment](#). To this end, only the [Complainant](#) is met. A written preliminary report is presented to the Campus Director indicating both conclusions and can include recommendations regarding resolving the issue.
- 4.8. If a [Harassment Complaint](#) is found admissible as [Harassment](#), the Campus Director will inform the [Respondent](#) and may suggest mediation or entrust an external [Investigator](#) to conduct a full and complete investigation of the alleged harassment situation. To this end, the [Investigator](#) must meet the [Complainant](#), the [Respondent](#) and present the Campus Director with a written report with conclusions.
- 4.9. Should the [Harassment Complaint](#) be founded, the Campus Director decides which administrative or disciplinary sanction should be taken.
- 4.10. In all circumstances where, following the reception of a written [Harassment Complaint](#), a situation(s) is(are) deemed problematic whether it meets the definition of [Harassment](#) or not, the Campus Director must decide which corrective measure should be taken, including the possibility of mediation.

## 5. RESPONSIBILITIES:

### 5.1. The **Concerned Party**

- May indicate to the [Person Called into Question](#) that the behaviour or situation is inappropriate or offensive;
- May solicit the assistance or guidance of a [College Manager](#) or a [Resource Person](#) to resolve a problematic situation before it evolves into one of [Harassment](#);
- Should inform a [College Manager](#) of a problematic situation;
- Be an active participant in seeking a mutually satisfactory resolution to the issue;
- May file a written [Harassment Complaint](#) to the Campus Director when faced with a situation believed to be [Harassment](#) following meeting with a [Resource Person](#) or with a [College Manager](#);
- Has the obligation to maintain discretion throughout the complete process.

### 5.2. The **Witness**

- May indicate to the [Person Called into Question](#) that the behaviour or situation is inappropriate or offensive;
- May solicit the assistance or guidance of a [College Manager](#) or a [Resource Person](#) to address a problematic situation before it evolves into one of [Harassment](#);
- Should inform a [College Manager](#) of a problematic situation;

### 5.3. The **Resource Person**

- Has the obligation to maintain discretion throughout the complete process;
- Provide assistance and guidance to the [Concerned Party](#) and the [Complainant](#) in resolving a situation:
  - Clarify facts
  - Explore options to resolve situation(s)
  - Offer support regarding option chosen;
- Help the [Complainant](#) in completing the [Harassment Complaint](#) form (see Annexe 1) and the Confidentiality Agreement (see Annexe 2).

### 5.4. The **College Manager**

- Must remain as objective as possible throughout the process and maintain discretion throughout the complete process;
- Intervene prior to or following a [Harassment Complaint](#), within the scope of managerial responsibilities and decide on the course of action in an attempt to resolve the issue at hand;
- If appropriate, facilitate a discussion between the [Concerned Party](#) and the [Person Called into Question](#) or between the [Complainant](#) and the [Respondent](#);
- May direct the [Concerned Party](#) to a [Resource Person](#) for assistance throughout the process.

### 5.5. The **Complainant**

- Has filed a written [Harassment Complaint](#) with the Campus Director when faced with a situation believed to be [Harassment](#);
- If the harassment complaint is against the Campus Director, the complaint may be filed with the Director General;
- Must fully participate in the investigation process, when pertinent;
- Has the obligation to maintain discretion throughout the complete process.

### 5.6. The **Respondent**

- When applicable, actively listen to and receive the comments and observations from the [Complainant](#) to avoid an escalation of the issue;
- Be an active participant in seeking a mutually satisfactory resolution to the issue;
- Must fully participate in the investigation process, when pertinent;
- Has the obligation to maintain discretion throughout the process.

**5.7. The [Assessor](#)**

- Ensure the completion of the Confidentiality Agreement(s);
- Analyse the written [Harassment Complaint](#) and meet the [Complainant](#) to determine if, should the alleged situation be demonstrated at the outcome of a thorough investigation, the [Harassment Complaint](#) meets the definition of [Harassment](#);
- Produce a written report to the Campus Director.

**5.8. The [Investigator](#)**

- Ensure the completion of the Confidentiality Agreement(s);
- Conduct a thorough investigation, whereby the [Complainant](#), the [Respondent](#) and [Witness\(es\)](#) is(are) met to assess if the parties are indeed faced with a situation of [Harassment](#);
- Produce a written report to the Campus Director.

**5.9. The Campus Director**

- The Campus Director must remain as objective as possible throughout the process;
- Identify which actions s/he deems necessary to address the situation once informed;
- Receive the written [Harassment Complaint](#) and follow up on it by:
  - Informing the [Respondent](#) of the issue and their rights and responsibilities
  - Engaging the [Assessor](#) and/or [Investigator](#)
  - Contacting the Director of Human Resources to provide the elements of the [Harassment Complaint](#);
- Receive the written report and communicate, in writing, the conclusion to the [Complainant](#) and [Respondent](#);
- Decide on the measures to address and resolve the issue(s).

**5.10. The [Mediator](#)**

- Help the parties to reach a mutually satisfactory resolution to the issue at hand;
- Provide a final report with recommendations to the Campus Director.

**ATTACHMENTS:**

- **Forms:**
  - **Harassment Complaint Form with Release of Information**
  - **Confidentiality Agreement Form**
- **Documents:**
  - **Flow Chart**

### Harassment Complaint Form

**I believe I have been subjected to :**

- Discriminatory Harassment
- Psychological Harassment
- Violence
- Other

**Information about the Complainant :**

Name: \_\_\_\_\_

First name: \_\_\_\_\_

Telephone number (specify if at work or residence): \_\_\_\_\_

**Information about the Respondent** (person against which the harassment complaint is filed):

Name: \_\_\_\_\_

First name: \_\_\_\_\_

Telephone number (specify if at work or residence): \_\_\_\_\_

**Name(s) of the Witness(es) identified by the complainant:**

Full name: \_\_\_\_\_

Occupation: \_\_\_\_\_

**Desired solutions (expectations):**

\_\_\_\_\_  
\_\_\_\_\_

**Other recourses**

Have you told the respondent that you disapproved of his/her conduct?

Yes  No  Specify why not: \_\_\_\_\_

Would you accept to try to find a solution through a process of mediation?

Yes  No

Have you resorted to other recourses, for example filing a complaint with the Labour Standards Commission or a grievance (if unionized)? Yes  Specify which one \_\_\_\_\_ No



**Allegations** (facts/ gestures/conduct) Please provide details as to what happened (dates, locations, facts, consequences, names of witnesses, if applicable) :

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**You may use other sheets of paper, if need be.**

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**Release of Information**

**Declaration:**

The facts above mentioned in this Form are true to the best of my knowledge. I realize that the process requires that the respondent be informed of the allegations, allowing him/her to give his/her point of view and that it is possible that witnesses be met and interviewed about my allegations or portion thereof.

Signed, at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.  
(location) (month) (year)

\_\_\_\_\_  
Signature of the complainant

Form received on: \_\_\_\_\_ 20\_\_\_\_\_.  
(date) (year) at \_\_\_\_\_ (location)

By: \_\_\_\_\_

\_\_\_\_\_  
Signature of the person receiving the form

**Confidentiality Agreement**

I, \_\_\_\_\_, **Complainant** , **Respondent** , **Witness**  or **Observer**  (please check one), agree to maintain confidential all the information relevant to this file (including my presence to this meeting and my testimony) unless authorized/required to disclose the information or for consultation purposes with a counselor of my choice.

If I am an observer, it is understood that this Confidentiality Agreement does not prevent me from disclosing the information as long as it is necessary for me to do so in the context of my duties as:  
\_\_\_\_\_.

Declaration made, read and signed, at \_\_\_\_\_, this \_\_\_\_\_ 20\_\_\_\_\_.  
(location) (date) (year)

\_\_\_\_\_  
Signature of the informant

**HARASSMENT POLICY FLOW CHART**

**INFORMAL APPROACH (EARLY INTERVENTION)**

**STEP 1**

A [Concerned Party](#) informs the [Person Called into Question](#) that particular words or actions are inappropriate and/or offensive and that it must cease

May bypass Step 1 if the [Concerned Party](#) is incapable or uncomfortable in bringing the matter to the attention of the [Person Called into Question](#)

**STEP 2**

Initial concern expressed to a [College Manager](#) or [Resource Person](#)

- Clarify facts
- Explore options to resolve situation(s)
- Offer support regarding option chosen

The [College Manager](#) may undertake any corrective measures and/or actions to remedy the situation when informed or upon being made aware of a problematic situation.

**FORMAL APPROACH**

**STEP 3**

Formal [Harassment Complaint](#) filed with the Campus Director (90 days from the last incidence of the offending behaviour unless it has been brought to the attention of a [College Manager](#))

The Campus Director can suggest mediation or refer the dossier to an [Assessor](#)

If complaint is against a Campus Director, the harassment complaint should be filed with the Director General

The [Assessor](#):

- Meets with the [Complainant](#) to review the elements of the [Harassment Complaint](#)
- Records the confidentiality agreements and the declaration of the [Complainant](#)
- Determines if the [Harassment Complaint](#) is admissible which means meeting the definition of [Harassment](#)
- Presentation of the Report to the Campus Director

<p><b>If admissible</b>, the Campus Director:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meets with the <a href="#">Respondent</a> to share the facts of the <a href="#">Harassment Complaint</a></li> <li><input type="checkbox"/> Reviews the Process</li> <li><input type="checkbox"/> Assesses opportunity for Mediation</li> <li><input type="checkbox"/> Engages a <a href="#">Mediator</a> or an <a href="#">Investigator</a></li> </ul>	<p><b>If not admissible</b>, the Campus Director:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Informs the <a href="#">Complainant</a></li> <li><input type="checkbox"/> Stops the process if unfounded; <b>or</b></li> <li><input type="checkbox"/> Decides on appropriate administrative measures to address the situation including Mediation if the <a href="#">Harassment Complaint</a> none the less reflects a problematic situation</li> </ul>
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The [Investigator](#):

- Conducts a complete investigation to determine if the [Harassment Complaint](#) is founded or not by conducting individual meeting(s) with the [Complainant](#), [Respondent](#) and [Witnesses](#) (may be accompanied by an [Observer](#))
- Records the confidentiality agreement(s) and the declarations by all parties involved
- Remits the investigation report to the Campus Director concerned and the Director, Human Resources/Secretary General

The Campus Director:

- Verbally informs the [Complainant](#) and the [Respondent](#) of the conclusion of the investigation
- When conclusive, decides on the administrative and /or disciplinary measures
- If need be, decides on which corrective measures to resolve the issue
- May recommend mediation

**MEDIATION**

The main purpose of mediation, which can be suggested at any time, is to assist the parties in finding an acceptable solution to a problematic situation and seek a mutually acceptable solution.

**If a solution is found:** the agreement is put in writing

**If no solution is found:** the dossier will follow its course as per the administrative process