

Procedure # 4-134

Effective Date: 05.05.95

Revision Date: 03.12.96

Revision Date: 06.09.99

Revision Date: 03.31.14

HUMAN RIGHTS COMPLAINT RESOLUTION PROCEDURE

COMMITMENT: Georgian College is committed to fostering a diverse and inclusive working and learning environment that is free from any form of harassment, discrimination and bullying. All members of the College community have the right to learn and work in a safe and respectful environment. Georgian College upholds the position of the Ontario Human Rights Code which states that it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination on certain prohibited grounds.

PURPOSE: The Complaint Resolution Procedure has been developed to resolve, under the principle of fairness, complaints about the behaviour of College community members, which violates the Ontario Human Rights Code. Students and employees have the right to study and work in an environment free from harassment and discrimination related to any of the grounds prohibited by the Ontario Human Rights Code including citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex, family status, marital status, sexual orientation, gender identity, gender expression and record of offences.

SCOPE: This Procedure applies to all College community members and covers all College interactions, business dealings and events on or off College premises.

If this procedure is not the appropriate means of resolving an issue (i.e. the issue does not fit any of the criteria above), the complainant will be referred to a more appropriate area for assistance.

Following the College's Human Rights Complaint Resolution Procedure does not preclude exercising other legal avenues including:

- The Ontario Human Rights Tribunal: All persons may approach the Human Rights Tribunal, subject to provisions set out in the Code, at any time.
- The Criminal Code of Canada: An individual can report the incident to the police and take action under the Criminal Code of Canada. Examples include cases of physical assault, sexual assault, sexual exploitation or the threatened use of force or intimidation.
- Freedom of Information and Protection of Privacy Act: All information collected under this Procedure will be treated in a manner consistent with the Freedom of Information and Protection of Privacy Act.

RESPONSIBILITIES: The Human Resources Department is responsible for reviewing this Procedure and recommending amendments as necessary. All Vice Presidents, Deans, Directors and Managers shall ensure that they and their staff are familiar with and comply with this Procedure. Breaches of College procedures may result in disciplinary action up to and including termination.

1.0 GUIDING PRINCIPLES & STANDARDS

To protect the learning/working environment and the rights of individuals, the College will enforce the right of its College community members to equal treatment without discrimination and harassment as provided for by The Ontario Human Rights Code. The College may sanction any member of the College community whose behaviour violates the Ontario Human Rights Code.

Every College community member has the right to express legitimate concerns about human rights violations they are experiencing in their work or education at Georgian College without fear of reprisal. Anyone who attempts reprisal or threatens reprisal against a person who initiates a complaint and participates in proceedings under this procedure may be subject to disciplinary action.

Under The Ontario Human Rights Code, the College must take reasonable steps to ensure an environment free from harassment and discrimination (which includes any behaviour contrary to The Ontario Human Rights Code) including informing and educating members of the College community about discrimination and harassment.

This procedure is part of the College's general strategy to educate its members about human rights and equity issues, and the College's process to resolve human rights complaints. Sanctioning individuals is less effective in preventing human rights violations than education equity initiatives and human rights training, to assist all members of the College community to promote and maintain a positive environment.

Under The Ontario Human Rights Code and this Procedure, members of the College community have the following responsibilities:

- To foster a climate of understanding and mutual respect for the dignity and rights of each individual by providing equal treatment in the areas described in The Ontario Human Rights Code.
- To learn Georgian College's policies, procedures and practices for dealing with human rights issues to fulfill their personal obligations.
- To prevent, report and discourage discrimination and harassment by others.

The College recognizes that accusations in a complaint action are a serious matter that can cause considerable stress and grief. Accusations must be founded in serious concerns. Anyone who makes a vexatious complaint may be subject to disciplinary action under this Procedure.

Members of the College community are encouraged, whenever possible, to resolve issues directly with the person who is the subject of their concern. If local resolution is not possible or unsuccessful, the complainant should follow the resolution process described in this Procedure.

The College President, Vice President or designee has the right to take action or direct procedures which diverge from sections of this Procedure when the safety of College community members is at risk or the violation is deemed to be so serious that it is imperative that immediate action be taken.

Although the College's Ontario Human Rights Complaint Resolution Procedure is written in the language of an individual complaint, group complaints may be brought under this Procedure.

Given the sensitive nature of a complaint, all parties concerned will make every attempt throughout the resolution of the complaint to respect the confidential nature of the information to the fullest extent possible subject to the obligations of the College in dealing with the complaint, including its legal obligations under the Ontario Human Rights Code and The Freedom of Information and Protection of Privacy Act.

Complaints relating to multiple issues covered by this procedure and other College procedures and practices can be processed concurrently. Human Resources will inform complainants of their options for handling their concerns and which College procedures and practices are appropriate processes for them to use to seek resolution for each issue.

In the event a complainant decides not to pursue his/her complaint through the process provided for in this procedure, the College may determine, nevertheless, that the matter should be pursued. Human Resources may use this procedure on behalf of the College to ensure a safe, effective learning and work environment for members of the College community if the allegation is very serious, is one of a series of complaints against a respondent or is indicative of a poisoned environment.

The College recognizes that its members of the College community may be subjected to harassment by others with whom the College conducts business. In these circumstances, the College acknowledges its responsibility to support and assist anyone subjected to such harassment.

Violations of human rights will not be tolerated at Georgian College. Therefore, conduct contrary to these objectives will be subject to disciplinary measures appropriate to the seriousness of the violation and subject to the provisions of applicable collective agreements, terms and conditions of employment, and College policies, procedures, and practices.

The College is responsible for the costs of administering this procedure and processing complaints but not for any legal costs incurred personally by the complainant or the respondent.

In general, investigation will only occur for complaints that occurred in the previous 60 business days from the complaint.

The final decision about an allegation that a violation of human rights, as prescribed by this procedure, has occurred, will be based upon a balance of probabilities.

2.0 RESOLUTION PROCESS

2.1 Informal Resolution Process

The informal resolution process will generally follow the process outlined in the paragraphs that follow, which includes the following steps:

- a) Complaint made within 60 days if possible.
- b) Complaint made to the respondent directly or to an alternate as described.

An informal resolution process is one which is used to try to reach an agreement directly between parties with the goal of understanding perspectives and resolving complaints where possible in a timely manner. Recognizing that it is often in the best interest of all parties, individuals are encouraged, where appropriate, to attempt to resolve the matter themselves. Employees of the College are expected to work cooperatively and collegially to resolve complaints informally whenever possible.

Complaints should be made as soon as possible, either verbally or in writing, within 60 business days following the incident(s) or becoming aware of the incident(s). This deadline may be extended in cases where there is a reasonable excuse for the delay in reporting and that the delay would not prejudice the respondent or preclude him/her from being able to adequately respond to the complaint. The reporting deadlines may also be extended in special circumstances such as: the investigation of systemic discrimination complaints, serious infractions of the law or College policies, procedures or practices, or a complaint being investigated by an external agency.

If the complainant speaks directly with the respondent and a mutually respectful outcome is achieved and the behavior stops, the complaint may be dropped at this stage and no further action taken.

If the behaviour continues and/or the complainant is unable or unwilling to approach the respondent, the complainant should notify one of the following College contact persons:

- If the complainant is a student, she/he should speak to a "contact" person - ie: the Program Coordinator, a Counsellor in Student Services or the Dean of Students;
- If the complainant is an employee, she/he should contact his/ her own Manager or Union Steward;
- If the complainant is a member of the College community not mentioned above, she/he should notify a member of College management of their complaint.

If the complaint is deemed to be a Human Rights complaint, the contact person will consult with Human Resources. Alternatively, the complainant may choose to contact the Director, Campus Safety and Security. If either party determines that the complaint is not a Human Rights complaint, they will inform the complainant of other College procedures that may apply. If it is deemed that the Human Rights Complaint Resolution Procedure applies, a Complaints Consultant will be assigned to the case to manage the complaints process.

If complaint is deemed to require follow up and investigation via the Human Rights Complaint Resolution Procedure, the Complaint Consultant will:

- Review this procedure and The Ontario Human Rights Code with the complainant;
- Advise the complainant of the options for informal resolution of the complaint which may include mediation;
- Advise the complainant that she/he may submit a written statement of complaint to provide more detail. If done, the written summary should contain an account of the incident(s) including date(s) and time(s), the name(s) of the respondent(s), the name(s) of the witness(es), if any, and the requested resolution. The complaint needs to be signed and dated by the complainant;
- Advise the complainant of the availability of counselling and other support services -eg. EAP, Police, crisis centres, etc.
- Advise the complainant of his/her right to withdraw from any further action in connection with the complaint at any stage of the investigation, even though the College may continue to investigate further.
- Advise the complainant of other avenues of recourse such as the right to file a complaint with the Ontario Human Rights Tribunal or, where applicable, under the Criminal Code of Canada.
- In consultation with the complainant, discuss next steps and how the complainant wishes to pursue the complaint.

If the complainant wishes to pursue mediation, the Complaint Consultant will follow the process outlined below. If it is determined that mediation is not practical, desired or sufficient, the Complaint Consultant will proceed to the Formal Review Process as outlined in Formal Review Process section.

If the complainant does not wish to pursue the complaint further, and upon discussion with HR, the College does not need to pursue the complaint independently, the complaint may be withdrawn and no further action taken at this stage.

2.2 Mediation

Mediation can often lead to successful resolution of a complaint. Mediation may be recommended to the parties at any stage in the process. Mediation also may be requested by either the complainant or respondent; however both must agree to participate. The mediation process will be "without prejudice" and "off-the-record" unless the parties specifically agree to the contrary, provided that any settlement reached will be on the record and will be disclosed to the Complaint Consultant. The mandate of the Mediator is to bring the complainant and the respondent together to explore each other's point of view and to assist the parties in reaching a solution. The Mediator will not make decisions, or act as an advocate for either party.

The steps to pursue mediation are as follows:

- a) If the respondent has not yet been informed of the complaint, the Complaint Consultant will, with the approval of the complainant, advise the respondent of the complaint and of the complainant's request for a mediated resolution.
- b) Once there is agreement on proceeding with mediation, the Complaint Consultant will recommend a mediator. Mediators may be internal or external resources. Both the complainant and the respondent must agree on the mediator.
The Complaint Consultant will arrange for the mediator to meet with the complainant and the respondent as soon as possible (preferably within 10 business days the decision to mediate) and will work with all parties involved to coordinate a mediation schedule.
- c) The Mediator will keep the Complaint Consultant generally apprised of the progress of the mediation without revealing what any party has disclosed during the mediation, unless the parties both/all agree to the disclosure.
- d) In the event a mediated resolution of the complaint would require the involvement of the College or an official of the College, the Mediator may, with the agreement of the parties, contact the Complaint Consultant in order to facilitate the involvement of the appropriate College official for the purposes of the mediation.
- e) The Mediator will deliver an agreement signed by both parties to the Complaint Consultant as soon as possible (preferably within 10 business days of the conclusion of the meetings) and will provide interim oral reports as requested by the Complaint Consultant if possible.
- f) Mediation is terminated when:
 - The complainant and respondent reach a mutual agreement to resolve the complaint;
 - The complainant or the respondent decide not to pursue this process any further;
 - No progress is being made and the Mediator recommends that the complaint proceed to the formal review process.

2.3 Formal Review Process

If the informal resolution process or mediation is not effective or appropriate to resolve a complaint, a formal review process may be necessary. The steps in a formal review process are outlined below.

- a) If or when the complainant decides to proceed to a formal review process, a written statement of the complaint is necessary. The complainant must provide the written statement and it shall contain the following: an account of the incident(s), including date(s) and time(s), the name(s) of the respondent(s), the name(s) of the witness(es), if any, the requested resolution, and be signed and dated by the complainant.
- b) The written statement will be submitted along with a Request for Formal Review Form (Appendix 1) to the Complaint Consultant. If a written statement was provided at an earlier stage of the complaint resolution process, the original written statement will suffice so long as it contains the required information. The complainant need only submit the Request for Formal Review Form in this case.
- c) If the formal review is being pursued following unsuccessful informal resolution or mediation process, the written complaint and review form will be submitted within 5 business days of the conclusion of said process. If however, the formal process is being pursued as the first step, the written statement and review form must be provided within 60 days of the incident(s) or becoming aware of the incident(s).

- d) The Complaint Consultant will inform the complainant that she/he may be identified to the respondent, if this has not already happened, and his/her statements will be shared with the respondent.
- e) The Complaint Consultant will notify the respondents Director, Vice President and Director, Human Resources of the formal request for review.
- f) If the respondent has not been made aware of the complaint at an earlier stage in the process, within 10 business days of receiving the written statement (or as soon as practical), and with the knowledge of the complainant, the Complaint Consultant will give the respondent a copy of the formal written statement and advise him/her of the information noted below. If the respondent has already received a copy of the formal complaint, the Complaint Consultant will meet with the respondent to provide the following information:
- The identity of the complainant and the nature and details of the complaint (if not already aware);
 - The College's Human Rights Complaint Resolution Procedure and the Ontario Human Rights Code;
 - The opportunity to respond in writing within 20 business days and that the response will be shared with the complainant;
 - The various courses of action to reach a mutually satisfactory resolution.
- g) Within a maximum of 20 business days of receiving the written complaint, the respondent may provide a written response to the Complaint Consultant. A copy of the response will be given to the complainant by the Complaint Consultant within 10 business days thereafter. (Either deadline may be extended by the Complaint Consultant if they determine the circumstances justify an extension).
- h) The complainant may decide at any point in the process to take no further action and/or to withdraw the complaint. The Complaint Consultant will then decide whether to take further action on behalf of the College.
- i) In exceptional cases, the Complaint Consultant may defer informing the respondent of the complaint, for up to 3 months following the events which gave rise to the complaint (or such longer period of time as the Complaint Consultant may determine if circumstances justify an extension), pending further investigation. These circumstances may be: lack of clarity about the nature of the complaint; concern for the safety, well-being, employment or academic status of the parties involved; or if the complaint appears to be unclear, unfounded, vexatious or made in bad faith.
- j) If a delay is being considered, in consultation with the Director of Human Resources and the Director of Campus Safety and Security, the Complaint Consultant will decide how and when to proceed weighing the elements of any possible prejudice to the respondent as a result of the delay in advising him/her of the complaint, risk to the complainant, and the College's responsibility to ensure a positive learning and working environment for all members of the College community.
- k) If there is no reason for delay, the Complaint Consultant will develop a case plan to investigate the complaint. The investigation of a complaint will normally include: reviewing the formal complaint and the response statements; meeting with the complainant, respondent and witnesses; collecting and preparing documentation in addition to the complaint and response such as witness statements, records of interviews, review of security reports or video footage, etc.; writing a case analysis and investigative report.
- l) During the investigation, if the Complaint Consultant finds the complaint is trivial, frivolous, vexatious or made in bad faith, the Complaint Consultant will terminate the process with written notification to the complainant and the respondent, giving reasons for the decision. The Complaint Consultant may also recommend, to the appropriate Vice President(s), that sanctions be imposed against the complainant for filing a complaint deemed to be without merit, trivial, frivolous, vexatious or made in bad faith.
- m) The Complaint Consultant will present the findings to the Director Human Resources, Director Campus Safety and Security and appropriate Vice President(s). The final report will include a recommendation for action, sanctions or remedies if warranted. The Vice President will make the decision regarding action, sanctions and remedies.
- n) The complainant and the respondent will be advised of the outcome of the investigation in writing including recommended action, sanctions or remedies if warranted.
- o) If the determination is that no misconduct occurred, the complainant will be advised of this fact and counseled.
- p) If the complainant or respondent is not satisfied with the results of the Complaint Consultant's finding(s), the complainant or respondent may appeal the decision in writing. Refer to Appeal Process, section 4.0.

Note: The Complaint Consultant may terminate the investigation and close the complaint if: the complaint is resolved at any stage in the process and/or, the complainant decides to take no further action, and the College determines not to pursue the complaint independent of the complainant. To record the termination of the complaint, the Complaint Consultant will either facilitate the signing of a resolution statement by both parties, or document the decision to terminate the process.

- q) The original statement or document will be kept in the confidential file by the Complaint Consultant.

3.0 SANCTIONS AND REMEDIES

In most cases, the complainant's principal concern is to seek a change in the respondent's behaviour, the department or employee's practice, or the College procedure at issue. Changes in behaviour, practices and procedures can often be agreed upon by the complainant and the respondent through an informal resolution process or mediation. Sanctions will relate to the seriousness of the breach and the principles of progressive discipline if necessary and will be determined by the College.

The nature and type of sanction(s) depend upon the severity of the incident. Serious infractions are those which may affect the health and/or safety of the individual and other members of the College community, violations of the law and/or repeated minor infractions. Sanction or remedy may include, but is not limited to, an oral or written apology, a written reprimand or warning, interim suspension, a behavioural contract, probation, mandatory training/education, transfer, demotion, suspension, dismissal or expulsion. Only the President, Vice Presidents, Director, Human Resources can impose disciplinary sanctions for staff. Only the President, Vice Presidents, Dean, Registrar or Dean of Students may impose disciplinary sanctions for students.

4.0 APPEAL PROCESS

4.1 Conditions Of Appeal

If the complainant or respondent is not satisfied with the results of the Complaint Consultant's investigation finding(s), either party may appeal the decision in writing within 10 business days from receipt of the Complaint Consultant's finding(s) on one or more of the following grounds:

- There was a serious procedural error in the investigation process which was prejudicial;
- New evidence which was not available at the time of the earlier decision, has been discovered rendering the original decision unreasonable in light of the new evidence;
- There are arguments and concerns which have yet to be adequately considered.

The appeal process is initiated by submitting the Request for Appeal Form (Appendix 2) to their Vice President within 10 business days of receipt of the written decision. When writing an appeal, an employee/student must include the information or rationale that will be used to support the argument that the finding(s) being appealed was wrong or unfair.

4.2 Submission Of Appeal

Once the Request for Appeal Form has been submitted, the Vice President or designate will determine if the reason for the appeal meets one or more of the grounds for appeal. If the Vice President or designate deems the appeal does meet one or more of the grounds for appeal, then the employee or student will be granted an Appeal Hearing.

If the Vice President or designate deems the appeal does not meet one or more of the grounds for appeal, then she/he will notify the employee or student in writing that his/her request for an appeal has been denied. The incumbent now becomes known as the "appellant".

4.3 Appeal Hearing

If the appeal proceeds to hearing, the Vice President or designate will convene an Appeal Hearing within 20 business days of the decision to grant an appeal (or as soon as practical). The Vice President or designate, will appoint a Hearing Officer to preside over the appeal hearing. The appellant and other parties involved will be sent a written 'Notice of Appeal', which will include the date, time and location of the meeting. Along with the Notice of Appeal, Georgian will distribute the following documentation to all principle parties involved:

- The name of the designated Hearing Officer;
- The Statement of Appeal by the employee;
- A written statement indicating the rationale for the decision to grant an appeal hearing;
- A list of witnesses that may be called if applicable;
- A list of evidential materials that will be presented during the Hearing such as videos, photographs or physical evidence.

Human Resources will provide assistance to the Vice President, designate and Hearing Officer to communicate with the parties.

The Hearing Officer shall have the ability to hear from the complainant, the respondent, and the Complaint Consultant. The Hearing Officer may also request the attendance of and hear testimony from witnesses not previously heard. The Hearing Officer may also, at her/his discretion call no witnesses and review only the documents and evidence assembled to date.

All representations made to the Hearing Officer will be made independently. At no time during the hearing, for example, will the complainant and the respondent appear at the same time. Similarly, if the Hearing Officer decides to hear testimony from witnesses suggested by either the complainant or the respondent, this evidence will be presented only to the Hearing Officer.

If the Hearing Officer decides to hear testimony from witnesses who were not earlier identified, or she/her discovers new information, this information will be shared with both the complainant and the respondent who will be provided with an opportunity to respond.

At the end of the hearing, the Hearing Officer will report their finding(s) and recommendations to the Vice President or designate within 10 business days from the date of the hearing.

Within 10 business days of receiving the Hearing Officer's finding(s) (or as soon as practical), the Vice President or designate will notify the complainant and the respondent of the findings and whether he or she will accept and act on the Hearing Officer's recommendations in full or in part. This notice will be in writing and will provide the reason for the decision.

The appeal decision is final and will be implemented by the College.

Note: Submitting a Request for Appeal does not stay the implementation of any sanction(s) imposed as part of the original investigation outcomes. The employee is required to abide by the sanction(s) until such time that the sanction(s) expires, or is changed or overturned through the Appeal Hearing.

5.0 DEFINITIONS

Appeal Hearing

A meeting where the employee/student is given the opportunity to appeal the finding(s) of an investigation on one or more of the following grounds:

- There was a serious procedural error in the investigation process which was prejudicial;
- New evidence which was not available at the time of the earlier decision, has been discovered rendering the original decision unreasonable in light of the new evidence;
- There are arguments and concerns which have yet to be adequately considered.

Appellant

An individual who is requesting an appeal of a decision.

Balance of Probabilities

The evidence shows it is more likely than not the alleged violation occurred.

Business Day

A business day includes any day of the week, except Saturday, Sunday, or Statutory Holidays and any as defined in the Academic Calendar.

College Campus

College Campus means any real property, including the grounds, buildings, structures, and facilities owned or leased/licensed, operated, and/or used under the aegis of the College.

College Community

College Community includes employees, students, members of the Board of Governors, members of committees established by the College, volunteers, contractors, individuals providing service or research, individuals who use or rent College facilities, visitors, applicants, and/or guests.

College Contact Person

A College contact person is the first point of contact for the complainant in this procedure.

Complainants and Respondents

The complainant is the person who makes the complaint.

The respondent is the person whose behaviour is complained about, or the manager of the department responsible for the procedure or situation complained about.

Any references to "parties" means both the complainant and the respondent.

Discrimination

The Ontario Human Rights Code (OHRC) does not provide a definition for the term discrimination. However, the intent and meaning of the Code along with interpretations of the term contained in judicial decisions suggest that, discrimination is differential treatment based on a personal characteristic which has an adverse impact on an individual or group. Examples of personal characteristics include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. Discrimination robs people of their dignity and their ability to fulfill their capabilities. It is important to note that any person or group can discriminate and any person or group can be the target of discrimination. Discrimination can take on several forms:

- Sexual Discrimination - includes discrimination on the basis of gender, sex, sexual orientation, etc.
- Racial Discrimination - includes discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, etc.
- Discrimination on the basis of Disability - involves discrimination against a person on the basis of their physical, psychological or mental ability or impairment.

Harassment

The Ontario Human Rights Code defines harassment as "engaging in a course of vexatious comment or that is known or ought reasonably to be known to be unwelcome".

The following definitions may further assist with understanding the term harassment and what it entails:

- "a course" - in most cases, there must be more than one incident for behaviour to be defined as harassment. However, courts in Canada have found that a single unwelcome incident, if serious enough, can be sufficient to support a harassment complaint.
- "Vexatious"- unwelcome and has little or no useful, legitimate purpose in the context in which it takes place.
- "Comment or conduct" - the use of the two terms - comment or conduct - includes actions and words. The actions or words may or may not be aimed at the person complaining of harassment; they may not be aimed at anyone at all. If they are unwelcome and create a poisoned environment, they could be considered harassment.
- "Known or ought reasonably to be known" - this phrase encompasses both a subjective and objective element. Even if a person is not aware that his/her behaviour is unwelcome (subjective), if a reasonable person in the same situation would have known that the behaviour was unwelcome, then that person "ought reasonably to have known" that his/her behaviour was unwelcome.
- "Unwelcome" - this simply means that the person who has brought the complaint does not wish to be exposed to the behaviour. Unwelcome is in the eye of the beholder.

Harassment is often an abuse of social power, but it is important to remember that any person can harass any other person. Harassment is often defined to include any behavior that creates an intimidating, demeaning or hostile environment. Harassment can take on different forms:

- Sexual Harassment - includes harassment on the basis of sex, gender or sexual orientation.
- Racial Harassment - includes harassment on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, etc.
- General Harassment - includes harassing behavior not on any of the grounds discussed above (i.e. bullying or personal harassment).

Hearing Officer

An individual appointed by the Vice President or designate to chair an Appeal Hearing.

Statement of Appeal

Formal written statement by the appellant setting forth the facts and arguments underlying the appeal, and the relief requested.

Vexatious Complaint

Causing or tending to cause annoyance, frustration, or worry.

FORMATS

This procedure is available in various accessible formats upon request. For an alternative format or a paper copy, please contact Human Resources.

ATTACHMENTS

Appendix 1 --REQUEST FOR FORMAL REVIEW FORM

Appendix 2-- REQUEST FOR APPEAL FORM

**GEORGIAN COLLEGE OF APPLIED ARTS AND TECHNOLOGY
OPERATING PRACTICES AND PROCEDURES**

**Ontario Human Rights Complaint Resolution Procedure
Procedure # 4-134**

Human Resources

Effective Date: 05/05/95
Revision Date: 03/12/96
Revision Date: 06/09/99
Revision Date: 03/31/14

Prepared By: Wendy Ruemper, Education & Employment Equity Committee

Revision Prepared By: Betty McCoppen, Cheryl Simpson
3RD Revision Prepared By: Lori Bell

Recommended By: College Planning Committee

March 1, 1995

Date

Revision Recommended By: College Planning Committee

June 9, 1999

Date

Approved By: Brian Tamblyn

APPENDIX 1

REQUEST FOR FORMAL REVIEW FORM

Complainant Information

Name	
Date	
Status (employee or student)	
Department / Program	
Contact Information	

Respondent(s) Information

Name		
Date		
Status (employee or student)		
Department / Program		
Contact Information (if known)		

(Note: If there are more than two respondents, attached a separate sheet with additional respondent information)

Grounds of Discrimination

The Ontario Human Rights Code lists the following ground of discrimination or harassment: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex, family status, marital status, sexual orientation, gender identity, gender expression and record of offences.

Please indicate which ground(s) that you believe applies to your complaint.

--

Written Complaint

Please attach additional pages to describe each incident you believe was discriminatory. Be as complete and accurate as possible. For each event, please indicate:

- **What** happened
- **Who** was involved
- **When** it happened (day, month, year)
- **Where** it happened

Witnesses and Documents that Support this Complaint

If you have witnesses and/or documents that are important to your Complaint, you are not required to send copies of these documents at this time but will be given an opportunity to do so as part of the formal review process.

Signature

Date

APPENDIX 2

REQUEST FOR APPEAL FORM

Appellant Information

Name	
Date	
Status (employee or student)	
Department / Program	
Contact Information	

Grounds for Appeal Request

In accordance with the College’s Procedure, the complainant or respondent may appeal the decision in writing within 10 business days from receipt of the Complaint Consultant’s finding(s) on one or more of the following grounds: there was a serious procedural error in the investigation process which was prejudicial; new evidence which was not available at the time of the earlier decision, has been discovered rendering the original decision unreasonable in light of the new evidence; there are arguments and concerns which have yet to be adequately considered.

Please indicate which ground(s) that you believe applies to your request for appeal.

Please include the information or rationale that will be used to support the argument that the finding(s) being appealed was wrong or unfair. Attach additional pages if necessary.

Signature

Date