

Respectful University Policy Procedures

(Last Reviewed 2026)

Pursuant to the Respectful University Policy (the “Policy”)

1. Introduction

These Procedures are designed to accompany and provide details regarding processes that accompany the Respectful University Policy. All terms used herein shall have the definitions ascribed to them in the Policy.

2. General Information

2.1 Confidentiality

The University recognizes that individuals who seek consultation, make a report, or participate in an investigation under this Policy may have concerns about privacy, safety, and potential impacts on their personal, academic, or professional lives. Respecting the privacy of those involved is an important part of creating a safe, fair, and supportive process.

Maintaining confidentiality benefits everyone involved in the consultation, reporting, and/or investigation process. The University will make every reasonable effort to protect the confidentiality of information received and will disclose information only on a need-to-know basis and as necessary to administer the Policy, implement interim measures, address safety concerns, or meet legal obligations.

Those making formal complaints are encouraged to limit discussion of the matter to appropriate persons, including individuals providing them with support. Respondents and Complainants may discuss their case in confidence with their supervisor, legal counsel, union representative, student advocate, designated support person, or other support services.

In addition to the matters described above, and in the Policy, confidentiality cannot be assured:

- where an individual is at imminent risk of self harm;
- where an individual is at imminent risk of harming another;
- where there are reasonable grounds to believe that a member of the University community or the wider community may be at risk of harm; and/or
- subject to Section 12 of The Child and Family Services Act, which requires reporting where there are reasonable grounds to believe that a child is in need of protection, and applicable federal child protection laws.

In such circumstances, information will be shared only with those persons whose intervention is necessary to prevent harm.

Breaches of confidentiality that compromise the integrity of the process, involve retaliation, or result in the inappropriate disclosure of confidential information may give rise to an investigation under this Policy and/or the Freedom of Information and Protection of Privacy Policy, and may result in disciplinary action.

Note: Confidentiality does not mean anonymity. It is a fundamental principle of natural justice that the Respondent be informed of the identity of the Complainant and the specific nature of the allegations at the earliest appropriate stage of the process.

2.2 Additional Protections

Nothing in the Policy or these Procedures is intended to discourage or prevent a member of the University community, including students and employees, from reporting an incident of Harassment and/or Discrimination to the police, filing a complaint with the Human Rights Commission, the Saskatchewan Ministry of Labour Relations & Workplace Safety, or from exercising any other legal rights pursuant to any other law.

Nothing in the Policy or these Procedures is intended to limit the rights of an employee governed by a collective agreement. If there is any ambiguity or conflict between the Policy or these Procedures, and a collective agreement, the collective agreement will prevail to the extent of such ambiguity or conflict.

2.3 Protection from Retaliation

It is contrary to the Policy for anyone to retaliate, engage in reprisals or threaten to retaliate, against any person, for:

- having pursued rights under the Policy, the *Criminal Code*, or any other law;
- having participated or cooperated in an investigation under the Policy, the *Criminal Code* or any other law; or
- having been associated with someone who has pursued rights under the Policy, the *Criminal Code*, or any other law.

Anyone engaged in retaliatory conduct may be subject to sanctions and/or discipline.

Threats or other safety concerns associated with one's involvement in a report of Harassment, Discrimination or a Prohibited Relationship, or an investigation should be reported immediately to the Coordinator, and, where appropriate, Protective Services. If necessary, interim preventative, remedial and/or disciplinary measures may be taken.

3. Consultation

An employee or student who believes that they have been subjected to Harassment, Discrimination or a Prohibited Relationship can (and are encouraged to) bring the matter to the attention of the University by contacting the Coordinator. If an individual raises an allegation of Harassment, Discrimination or a Prohibited Relationship with another University official, the University official should contact the Coordinator for guidance. All contacts will be considered confidential.

Complainants who consult with the Coordinator may choose to:

- i. Receive individual coaching and education
- ii. Ask the Coordinator to facilitate a resolution or resolve the matter informally
- iii. File a formal complaint (in writing) and request a formal investigation under the Policy
- iv. Pursue the complaint in an alternate forum (such as the Saskatchewan Human Rights Commission or Saskatchewan Ministry of Labour Relations & Workplace Safety).

4. Resolution Options

Every situation is unique, not only in terms of the circumstances, but also with regard to the needs and interests of those involved, their preferred style of handling conflict, the desired outcome and a myriad of other factors. There are multiple resolution options for addressing and resolving Harassment, Discrimination or a Prohibited

Relationship - or resolving conflict before it escalates to the level of a formal complaint. Resolution options fall into three broad categories:

- i. Self Resolution (Self-Managed or Assisted)
- ii. Alternative Resolution
 - Examples of Alternative Resolution are informal conversations, restorative justice and mediation and can include Indigenous-centred approaches to resolution and healing. Restorative justice processes focus on dialogue, accountability, and repairing harm in a manner that is appropriate to the circumstances and agreed upon by the parties.
 - Alternative Resolution may not be appropriate in the case of a Prohibited Relationship, and the University may take steps to require the termination of such relationship, as well as steps to mitigate / manage the relationship, and discipline the individual in the supervisory role who is involved in the relationship.
- iii. Formal Complaint Process

It is advisable to make an appointment with the Coordinator to discuss these options in detail.

5. Making a Formal Complaint

5.1 Filing a Complaint

Formal Complaints will normally be administered as follows:

- a. Respondent is an Employee: the Complaint will be referred to the Coordinator of Respectful University Services
- b. Respondent is a Student: the Complaint will be referred to the Coordinator of Student Conduct
- c. Respondent is BOTH an Employee and a Student: the Coordinator of Respectful University Services will determine the appropriate office to take the lead on the investigation, and the Complaint will be referred accordingly.

5.2 Time Limit

The University of Regina acknowledges that deciding to report an incident of **Sexual Harassment or a Prohibited Relationship** can be difficult and may take time. For this reason, there is no prescribed time limit for making such a complaint.

Complainants should be aware, however, that significant delays in reporting may affect the University's ability to gather evidence and respond effectively, and the Respondent's ability to properly defend the allegations. In some cases, this may mean that an investigation cannot proceed. The determination regarding the feasibility or appropriateness of an investigation into a delayed complaint of Sexual Harassment or a Prohibited Relationship will be made by the Coordinator in consultation with the AVP, Human Resources.

All other complaints of Harassment and Discrimination must be lodged within one year of the alleged incident. In exceptional circumstances, a complaint may be filed after one year (such determination being made by the Coordinator, in consultation with the AVP, Human Resources).

5.3 Anonymous Complaint

A person who believes they have experienced Harassment, Discrimination, or a Prohibited Relationship may choose to make a report without identifying themselves. The Coordinator will review and assess all anonymous reports and determine whether any steps can or should be taken in the circumstances.

Anonymous reports may assist the University in identifying broader concerns, trends, or patterns and may inform efforts to maintain a safe and respectful work and learning environment. The University will consider the nature of the information provided, the availability of independent or corroborating information, and its obligations related

to procedural fairness and natural justice when determining how to proceed.

The University may be limited in its ability to investigate or respond to an anonymous report where insufficient information is available or where proceeding would not allow for a fair process for all parties involved.

5.4 Third Party Reporting

A person other than the person who experienced the Harassment, Discrimination or Prohibited Relationship can bring forward a report. The third party may be a witness, a friend, a colleague, a person who receives a disclosure, or any other person. Third party reporting facilitates the provision of information that can lead to a safer University community.

Note: Individuals considering third party reporting are encouraged to consult with the Coordinator before proceeding in order to understand how the specific circumstances of the report may be assessed and whether, and to what extent, the matter could move forward under the Policy. In most cases, a third party report cannot be formally investigated. Where a third party report does lead to an investigation, the anonymity of the third party and any others involved, including the individual who experienced the Harassment, Discrimination, or Prohibited Relationship, cannot be guaranteed.

5.5 Intake and Assessment

- a. A formal complaint is initiated by providing the Coordinator with a detailed written Complaint, dated and signed by the Complainant, which:
 - i. includes a clear statement of the alleged Harassment or Discrimination (or details of the Prohibited Relationship);
 - ii. includes any relevant documentation or evidence available to the Complainant at the time of filing, such as emails, text messages, voice recordings, videos, photographs or social media posts or communications, (collectively, the “Complainant’s Evidence”), as well as a list of any potential witnesses along with a description of the information those witnesses are expected to provide; and
 - iii. requests an investigation.

Complainants are encouraged to meet with the Coordinator prior to filing a formal Complaint to obtain information about the process and how to organize and document their Complaint (and assemble the Complainant’s Evidence). The Coordinator’s role is to provide information and guidance regarding the process and requirements of the Policy; the Coordinator does not act as the Complainant’s advocate or draft the substance of the Complaint. Complainants may seek the assistance of a support person (such as a union representative, a trusted friend or colleague, their lawyer or anyone else they deem appropriate) in preparing their Complaint.

- b. Upon receipt of a signed, written Complaint, the Coordinator will assess the Complaint to determine:
 - i. whether the allegations are within the scope of the Policy and these Procedures (i.e. alleging Harassment, Discrimination or a Prohibited Relationship);
 - ii. whether the facts alleged in the Complaint establish a prima facie case of Harassment, Discrimination or a Prohibited Relationship; that is, assuming the facts alleged are true, they disclose conduct that falls within the definition of Harassment, Discrimination or a Prohibited Relationship;
 - iii. whether the Complaint contains sufficient information. If not, the Coordinator may make follow-up inquiries and determine if the Complaint, amended with additional information, should be investigated; and
 - iv. whether the Complainant and Respondent are under the jurisdiction of the University (i.e. employees and/or students of the University) such that the Policy applies and the Coordinator has jurisdiction to investigate the Complaint.

The Coordinator will undertake this assessment as soon as reasonably possible following receipt of the Complaint.

An investigation into a Complaint will not proceed if, in the opinion of the Coordinator, it is readily apparent that the Complaint is frivolous, vexatious, malicious or retaliatory. A frivolous Complaint is one that is trivial and/or without serious content. A vexatious Complaint is one that is without merit and is primarily intended to vex or annoy the Respondent. A malicious Complaint is a complaint made in bad faith (i.e. an intentionally false accusation or a complaint intended to harass or harm the Respondent). A retaliatory Complaint is a complaint made in bad faith, solely or primarily for the purpose of “getting back at” a member of the University community.

If such a determination is made, the Complainant will be advised by the Coordinator in writing.

In some cases the determination that a Complaint is frivolous, vexatious, malicious, or retaliatory can only be made following an investigation.

When a Complaint is determined to be frivolous, vexatious, malicious or retaliatory, the Appropriate Designated authority will be advised of the Coordinator’s finding, and may institute appropriate disciplinary actions against the Complainant. Additionally, in such circumstances, the Coordinator may conclude that the Complainant has breached the Policy by bringing such a complaint.

- c. If the criteria in 5.5 (b) are not met, the Complainant will be advised of the Coordinator’s determination, and no further steps or investigation will occur. Recognizing that this action does not resolve the Complainant’s problem, the Coordinator may be able to recommend other problem-solving options or refer the Complainant to other University services or resources.
- d. If the Complaint does not involve an employee or student of the University, and only seeks redress from the University (e.g. alleging that the University itself has failed to meet its obligation to provide a safe and healthy environment free of Harassment or Discrimination), the matter shall be referred to the AVP, Human Resources, who may direct an investigation and order any interim measures or relief that they deem fit.

5.6 Interim Measures

Following the determination that an investigation will proceed, the Coordinator will identify any critical issues that may require immediate attention, such as urgent safety or security matters, and determine if interim measures should be implemented. Such measures are without prejudice to the outcome of the investigation. The interim measures will be in effect for the duration of the investigation period.

- i. For students affected by alleged Harassment, Discrimination or a Prohibited Relationship, the interim measures will be implemented by the AVP, Student Affairs upon request of the Coordinator. Requests for interim measures may also be made by the Coordinator of Student Conduct, Protective Services, and other offices as appropriate. Interim measures are not intended to be punitive but are intended to maintain a safe environment for all parties during the investigation. These measures may include:
 - Room changes within University housing if one or both parties are residents;
 - On and/or off campus safety planning;
 - Restrictions on access to University facilities;
 - No contact and no communication orders;
 - Reasonable academic accommodations (such as extensions on assignments, deferrals of exams, leaves of absences, authorized withdrawals, assignment of a different instructor, supervisor or marker, etc.);
 - No contact and no communication orders.
- ii. For employees affected by alleged Harassment, Discrimination or a Prohibited Relationship, the interim measures will be implemented by the AVP, Human Resources upon request of the Coordinator. Requests for interim measures may also be made by the respective Dean, Director or delegate, Protective Services, and other offices as appropriate. These measures may include:
 - On and/or off campus safety planning;

- Restrictions on access to University facilities;
- No contact and no communication orders;
- Reasonable employment/workplace restrictions or accommodations (such as temporary work assignment, location reassignment, or scheduling changes);
- Imposition of administrative leave of absence.

Where a serious and immediate threat to safety exists, the University has a legal duty to warn anyone at risk, which may include informing the Police. Information concerning a Complaint may also be provided to appropriate University officials on a need-to-know basis (e.g. situations where there are security or safety issues or cases involving repeat complaints or a pattern of related behaviour).

6. Investigation

Once an initial assessment of the Complaint is complete, and if it has been determined that the University has the jurisdiction to investigate, the investigation will commence.

6.1 Notification of Investigation

- a. The Coordinator will contact the Complainant to advise them that the Complaint has been referred to investigation, and provide the Complainant with:
 - i. The name and contact information of the Investigator;
 - ii. A link to the Policy and these Procedures;
 - iii. Information about the support resources available during the investigation process; and
 - iv. Information about the Complainant's right to have a support person such as an advisor, Elder/Knowledge Keeper, legal counsel, or union representative present whenever they meet with the Investigator.
- b. Contact the Respondent to advise them that a Complaint has been made and has been referred to investigation, and provide the Respondent with:
 - i. A summary of the Complaint;
 - ii. The name and contact information of the Investigator;
 - iii. A link to the Policy and these Procedures;
 - iv. Information about the support resources available during the investigation process;
 - v. Information about the Respondent's right to have a support person such as an advisor, Elder/Knowledge Keeper, legal counsel, or union representative present whenever they meet with the Investigator; and
 - vi. Information regarding the date, time, and location of the Respondent's interview with the Investigator [this information may be provided at a later date if the initial intake / information gathering regarding the Complaint is not yet complete].
- c. The Coordinator shall inform the relevant Designated Authority for each party that a Complaint has been filed and an investigation initiated. Where appropriate, the Coordinator will also recommend and/or discuss the need for interim measures.

6.2 Response to the Notification

The Respondent shall have the right (but is not obliged) to provide the Coordinator with a written response to the Complaint, within 10 days of being notified of the Complaint. The response, if any, should acknowledge or deny the validity of the allegations in whole or in part, provide additional information, and/or propose a resolution of the Complaint. A request for an extension of the response period will be granted in appropriate and reasonable circumstances.

The Coordinator will not directly assist the Respondent in preparing their response; a Respondent may seek such assistance from a union representative, a trusted friend or colleague, their lawyer or anyone else they deem appropriate.

6.3 Principles of the Investigation

The investigation will be conducted in accordance with the principles of procedural fairness and natural justice. In particular:

- All investigations will be completed in a timely manner, using a trauma-informed approach, and taking into consideration the complexity of the case and availability of the Respondent, the Complainant, and any relevant witnesses. A trauma-informed approach recognizes the potential impact of trauma, seeks to minimize re-traumatization, and promotes respectful, supportive, and fair engagement with all parties;
- The Complainant will be provided an opportunity to provide the Complainant's Evidence, in support of their Complaint;
- In relation to allegations of Sexual Harassment, the Complainant will not be required to answer questions regarding their past sexual history (other than the Complainant's history with the Respondent);
- The Respondent may request access to documentary and other evidence gathered in the course of the investigation (including the Complainant's Evidence);
- The Respondent will be provided a reasonable opportunity to respond to the allegations in the Complaint and the Complainant's Evidence;
- The Respondent is entitled to the same level of assistance in the process as is available to the Complainant. The Respondent has the right to meet with the Coordinator to obtain information, guidance and assistance and discuss options;
- Any person whose action or inaction obstructs an investigation under these Procedures or who violates these Procedures will be subject to discipline;
- All parties involved in an investigation are expected to engage with the Investigator(s) in a respectful and professional manner. This includes maintaining appropriate communication and conduct throughout the process.

Parties are expected to respect and adhere to the investigative procedures outlined in these Procedures. Failure to do so may impact the investigation and could be addressed as a separate matter under applicable University policies.

6.4 The Investigation Process

A fair, thorough and complete investigation of the Complaint will be conducted pursuant to the principles of procedural fairness and natural justice.

- a. Investigations are not adversarial processes and hearings will not be held as part of the investigatory process. Formal rules of evidence commonly associated with a civil or criminal trial will not be applied.
- b. In all Investigations, the Respondent will be fully informed of the allegations in the Complaint, and of information that the Investigator gathers in the investigation process that the Investigator considers is relevant to the allegations, and upon which the Investigator might rely in making findings of fact in the Investigation (including the Complainant's Evidence), and will be given the opportunity to respond.
- c. The Investigator may investigate in any manner that the Investigator deems appropriate in order to

obtain the information required to make the necessary findings of fact. This may include, but is not limited to, the following:

- i. requesting a written response to the Complaint from the Respondent, and any relevant documentation or evidence available to the Respondent, such as emails, text messages, voice recordings, videos, photographs or social media posts or communications (collectively, the “Respondent’s Evidence”) as well as a list of any potential witnesses along with a description of the information those witnesses are expected to provide;
 - ii. meeting with or requesting further information from the Complainant;
 - iii. meeting with or requesting further information from the Respondent;
 - iv. meeting with or requesting further information from any other individuals who may have information relevant to the Investigation, including any witnesses identified by the Complainant or the Respondent; and
 - v. obtaining any other evidence, including evidence of mitigating and aggravating circumstances, that may be relevant to the Investigation;
- d. The Investigator shall collect, review, analyze, and assess the facts with respect to the merits or veracity of the allegation(s). Facts are derived from evidence provided by the Complainant, the Respondent, as well as witnesses and other available sources. In assessing the evidence, the Investigator may consider the credibility and reliability of the individuals providing the information, as well as the consistency and plausibility of the evidence overall. The Investigator may also draw reasonable inferences from the evidence gathered. The applicable standard of proof is the balance of probabilities.
- e. There is an obligation on members of the University community to cooperate in the investigation of a Complaint under the Policy.
- f. If the matter complained of is also under investigation by the police or another external agency (such as the Saskatchewan Human Rights Commission or Saskatchewan Labour Relations & Workplace Safety), the University, at its discretion, may continue, stay or terminate the Investigation or any other proceedings related to the matter.
- g. The Investigator shall conclude the investigation as expeditiously as possible, normally within ninety (90) days from the date on which the Complaint is received by the respective Coordinator. If, during the course of the investigation, the Investigator believes that this timeline cannot be met, the Investigator will contact the Respondent and Complainant as soon as possible to inform them of the revised estimated timeline.
- h. Both the Complainant and the Respondent are entitled to know the progress of the investigative process and may contact the Investigator for that purpose at any stage of the proceedings.
- i. The Investigator is solely responsible for determining the scope of the investigation, including which witnesses, if any, are to be interviewed. Witnesses may include anyone who can provide relevant information, records or details regarding an allegation or the circumstances surrounding a Complaint. When material facts are not in dispute, interviewing witnesses may be unnecessary.
- j. If a Respondent refuses to cooperate, the Investigator may still proceed with an investigation, in the absence of a written response, or interview of the Respondent.
- k. Other than in exceptional circumstances, interviews will be conducted virtually and recorded. The Complainant and the Respondent will be provided with a transcript and/or the recording of their respective recorded interview.
- l. The scope of the investigation shall be limited to the original allegations made by the Complainant. Should additional allegations arise or be raised at any time, the Complainant must file a supplementary Complaint, and the notification and response process will be repeated for such additional allegations.

- m. Investigations will normally be conducted by the Coordinator. As required, alternate or additional internal or external investigators may be designated by the University. The Coordinator shall not act as the Investigator where there is a conflict of interest or a reasonable apprehension of bias. In addition to the Coordinator's ethical responsibility to identify actual or potential conflicts of interest, it is the responsibility of the Complainant and the Respondent to identify a perceived apprehension of bias or conflict of interest of the Coordinator prior to the commencement of the investigation or at the earliest opportunity. In the case of an allegation of a conflict of interest or reasonable apprehension of bias, pending a determination of the issue by the AVP, Human Resources, the complaint/investigation process will be suspended. If the AVP Human Resources determines that there is a conflict of interest or reasonable apprehension of bias, an external investigator will be engaged by the University to conduct / continue the investigation.

6.5 The Role of the Support Person

The role of the support person is to:

- provide moral support, keeping in mind that the Complainant and the Respondent are responsible for expressing their own thoughts and feelings, and for full disclosure of information related to the allegations, and
- support the Investigator's objective of conducting a full, fair and impartial investigation

The support person cannot be a person who may be a witness in the investigation. The Investigator may terminate or postpone the interview if the behaviour of the support person is inappropriate or contrary to these Procedures. Any costs associated with the attendance of a support person shall be borne by the Complainant or the Respondent, as the case may be.

7. Final Report

- a. The role of the Investigator is to determine whether or not the Policy has been violated. The responsibility for the resolution of the Complaint and/or the administration of discipline or other remedial measures rests with the Designated Authority, based on the findings in the final investigation report (the "**Final Report**"). To assist the Designated Authority to make an informed decision, the Final Report will be fair and impartial, and contain a thorough and complete analysis of the issues and evidence, and a clear statement as to whether, on a balance of probabilities, the Investigator has determined that:
- i. one or more of the allegations against the Respondent are substantiated; or
 - ii. one or more of the allegations against the Respondent are unsubstantiated; or
 - iii. behaviour on the part of the Complainant and/or the Respondent violated the Policy; and
 - iv. (if applicable) the Complaint was frivolous, vexatious, malicious or made in bad faith or retaliatory.
- b. Upon completion of the investigation, the Investigator shall provide notification and a targeted date for completion of the Final Report to the Complainant, the Respondent and the appropriate Designated Authority.
- c. The Final Report is strictly confidential and distribution is limited to the Complainant, the Respondent, the Designated Authority and those within the University who have a "need to know".
- d. The Final Report will include the Investigator's determination as to whether the allegations are or are not substantiated, and whether or not the Policy has been violated. The Investigator will not make specific disciplinary recommendations; however, the Final Report may provide information that is important to the determination of appropriate disciplinary action by the Designated Authority.
- e. The Final Report also serves as a guide to remedial actions necessary to correct deficiencies in the workplace and/or restore the health of the work or learning environment; as such, the Final Report may include recommendations (corrective, preventative, educational or remedial - e.g. training and

development). Any recommendations made by the Investigator are advisory only, and are not binding on the University, the Complainant, the Respondent, or any other person.

- f. The submission of the Final Report ends the Investigator's role in the process unless the Designated Authority seeks clarification of the Final Report in any respect, or regarding matters arising requiring further investigation and/or supplementary reports. The role of the Coordinator will be ongoing for remedial and preventative purposes, and follow-up.

7.1 Decision

- a. Where the Designated Authority is named as the Respondent, the person responsible for the resolution of the Complaint and/or the administration of discipline or other remedial measures will be the next most senior out-of-scope person in the Faculty, academic unit, or administrative unit with the authority to address personnel matters.
- b. Where the Respondent is an employee, the determination as to the resolution of the Complaint and/or the administration of discipline or other remedial measures will be made by the Designated Authority in consultation with the AVP, Human Resources.
- c. Where the Respondent is a student, the determination as to the resolution of the Complaint and/or the administration of discipline or other remedial measures will be made by the Designated Authority in consultation with the AVP, Student Affairs.
- d. The Designated Authority may consult with the Coordinator with regard to an appropriate corrective, preventative and/or remedial action plan, including targeted educational opportunities.
- e. The Complainant and/or Respondent has the right to know that corrective action has been taken as a result of the Final Report, but not the specifics of any disciplinary action.

7.2 Discipline Options

- a. Considerations in determining discipline may include, but are not limited to, such factors as prior conduct / misconduct of the Respondent, previous discipline, precedence set in similar cases, the Respondent's intent and acknowledgement of wrongdoing, the degree of aggression and physical contact that occurred, the power differential of the parties, the number of events, the impact of the Harassment, Discrimination or Prohibited Relationship on the Complainant, and the need to prevent the repetition of proved Harassment, Discrimination and/or a Prohibited Relationship.
- b. Any disciplinary action taken by the Designated Authority is subject to the grievance-arbitration process of the applicable collective agreement in the case of employees, or is subject to appeal to the Council Discipline Committee in the case of students.

7.3 Withdrawal or Dismissal of a Formal Complaint

- a. The Complainant may request that a formal complaint be withdrawn by delivering the request, in writing, to the Coordinator. The Respondent's Designated Authority shall be notified and, in consultation with the Coordinator, will determine whether or not the investigation is to continue and will notify the Complainant of the decision. The Respondent will be notified in writing if the Complaint is withdrawn and the investigation is discontinued. Notwithstanding the withdrawal of a Complaint, the University may have an obligation to continue the investigation.
- b. Where a Complaint has been dismissed or withdrawn, the Respondent may request that the Designated Authority issue a statement that there has been no violation of University policy by the Respondent. The statement must not disclose the name of the Complainant.

8. Action Initiated or Continued by the University

- a. In order to prevent Harassment, Discrimination and Prohibited Relationships, the University has the responsibility to use the Policy and these Procedures, in its own right, to initiate or continue action, including the investigative process, to determine if Harassment, Discrimination, Prohibited Relationships

or other problems exist in the work or learning environment. Situations where such an investigation may be required include, but are not necessarily limited to, the following:

- i. where there is a focused pattern of inquiries, concerns, reports and/or complaints made over a period of time which suggests the existence of a problem that has not been addressed, adequately, effectively, or at all;
- ii. where there is reason to believe that a systemic problem exists in the working or learning environment which causes, contributes to or encourages Harassment, Discrimination or Prohibited Relationships; or
- iii. where there is disclosure of a possible Prohibited Relationship.

The University, acting through the responsible Designated Authority, may initiate or continue an investigation even if the request for action or Complaint has been withdrawn or the parties have reached a resolution through alternative resolution options. This decision is made in consultation with the Coordinator and/or the AVP, Human Resources.

- b. The University will normally initiate or continue a Complaint or an investigation only where the alleged Harassment, Discrimination or Prohibited Relationship may have had a serious impact on the parties and/or the University, where the case is important to the principles set out in the Policy, where the Respondent has previously been the subject of substantiated complaint(s) of Harassment, Discrimination, or Prohibited Relationships, or where concerns about a pattern of conduct exist.
- c. Where the University initiates or continues a Complaint or investigation, the responsible Designated Authority becomes the notional Complainant and any rights or responsibilities assigned to them by these Procedures are assumed by the individual to whom they report.

9. Malicious Complaints

- a. Complaints made in good faith are not considered malicious, even if the allegations are found to be unsubstantiated.
- b. If a Complaint is determined to be frivolous, vexatious, malicious, retaliatory or made in bad faith, the Complainant may be subject to discipline.
- c. Knowingly making a false accusation of Harassment, Discrimination or a Prohibited Relationship is a serious violation of the Policy. Anyone who knowingly makes a false accusation of or provides false information in the course of an investigation will be reported to their Designated Authority and may be subject to disciplinary action.

10. Obstruction and Retaliation

- a. No one shall suffer any reprisal for bringing forward, in good faith, a complaint or concern about Harassment, Discrimination or a Prohibited Relationship. Any person who engages in retaliation or threat of retaliation shall be subject to disciplinary action.
- b. Threats or other safety concerns associated with one's involvement in a the bringing of a Complaint, or an investigation, of Harassment, Discrimination or a Prohibited Relationship, should be reported immediately to the Coordinator, the Designated Authority and, where appropriate, Protective Services. If necessary, interim preventative, remedial and/or disciplinary measures may be taken.
- c. Any person whose action or inaction obstructs an investigation under these Procedures or who violates these Procedures will be subject to discipline.

11. Records and Use of Information

- a. Subject to any exceptions provided in these procedures and to the extent required by law, all written information that is created, gathered, received or compiled pursuant to these Procedures is to be treated as strictly confidential by the Respondent, the Complainant, their representatives, witnesses, and University officials. This information will only be used for the purpose of resolving the issues raised in connection with an informal report or formal Complaint and only by those persons who are involved in the resolution of those issues.
- b. Respondents and Complainants may discuss their case with their supervisor, legal counsel, support person(s), student advocate and/or union representative in confidence. The Coordinator or designate may discuss specific cases and their dispositions for educational purposes provided that no identifying information is disclosed.
- c. All records and reports of inquiries, consultations, complaints and investigations collected by the Coordinator are confidential and will be securely stored within the Office of Respectful University Services.

12. Effect on Collective Agreements / Other Policies

- a. Complainants are encouraged to use these Procedures to address issues which are, or may be, Harassment, Discrimination or a Prohibited Relationship. However, nothing in these Procedures is intended to limit or amend the provisions of any collective agreement or restrict or discourage Complainants from exercising their rights as a member of a collective bargaining unit.
- b. Any disciplinary action taken on an employee who is a member of a collective bargaining unit may be appealed through the grievance-arbitration procedures of the applicable collective agreement.
- c. Students may appeal disciplinary action to the Council Discipline Committee.

13. Review of Procedures

- a. These Procedures may be amended from time to time as required, and in consultation with the AVP, Human Resources.