



THE PHILIPS COLLEGE

**FACULTY
AND STUDENT GRIEVANCES POLICY**

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Statement of Policy

The Philips College is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the College is committed at all levels to create an environment free from discrimination, harassment, retaliation and/or sexual assault. Discrimination or harassment based on race, gender, colour, creed, religion, age, ethnicity, disability and sexual orientation. Such discrimination violates College policy and will not be tolerated.

The Philips College prohibits discrimination, harassment (including sexual/gender harassment), sexual assault and retaliation against faculty/employees/students and other third parties conducting business with the College. While this Policy applies to everyone, the College specifically expects management level personnel to serve as models of appropriate conduct for others, and will hold them to a higher standard of accountability. Management personnel must not only refrain from actions that violate this Policy, but also refrain from any activity that would give the appearance of impropriety or convey a casual approach to the enforcement of the Policy.

Any form of retaliation against anyone who has complained of or reported discrimination, harassment (including sexual/gender harassment), or sexual assault, or has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated, and may result in discipline.

Policy and Procedures

Definitions

- a. Discrimination** is unjust or prejudicial treatment of any employee/student on the grounds of race, gender, colour, creed, religion, age, ethnicity, disability and sexual orientation.
- b. Harassment** is unwelcome verbal or physical conduct directed toward, or differential treatment of, an employee/student because of his/her membership or perceived membership in any protected group (e.g. race, gender, colour, creed, religion, age, disability, sexual orientation). The harasser can be the employee's/student's supervisor, a co-worker/fellow student etc or third parties conducting business with the University. Examples of such conduct include, but are not limited to:
 - **Offensive or degrading remarks, verbal abuse, or other hostile behaviour such as insulting, teasing, mocking, degrading or ridiculing another person or group;**

- *Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols;*
- *Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands;*
- *Physical assault or stalking;*
- *Displays or electronic transmission of derogatory, demeaning or hostile materials; and*
- *Unwillingness to train/tutor/ teach, evaluate, assist or work with an employee/student/third party.*

c. Sexual assault is a sexual act against the will and without the consent of the employee/student-complaint or where the employee/student-complaint is incapable of giving consent.

d. Retaliation is any adverse action taken against an individual because he/she filed a charge of discrimination or harassment.

REPORTING DISCRIMINATION, HARASMENT, RETALIATION, OR SEXUAL ASSAULT TO THE UNIVERSITY

Any employee/student who believes that they have been subjected to discrimination, harassment, retaliation or sexual assault prohibited by the College's Policy, or any employee/student who has witnessed such acts should report the circumstances in accordance with the procedure set below. The Philips College may investigate any conduct that violates this Policy even in the absence of a complaint, and take remedial action where appropriate.

An employee/student may make a complaint to any of the offices or individuals listed below:

- a. The Human Resources Officer of the College or the Administrative Department; or
- b. Any supervisor; or
- c. The Departmental Head of the appropriate School or Faculty
- d. Counselling/student affairs department (where students are concerned)

Complaints may be submitted by any of the following methods:

- In person
- By phone
- By e-mail
- By completing an on-line complaint form

All complaints under this Policy will be referred to the Grievances Committee for investigation and resolution, in consultation with the Human Resources and other relevant departments as necessary and appropriate.

The Philips College encourages prompt reporting of complaints so that it may respond appropriately and conduct an investigation while the matter is still fresh in the individual's memory. There is no fixed deadline for reporting discrimination, harassment, retaliation or sexual assault complaints to the College.

UNIVERSITY INVESTIGATION AND DISPOSITION OF COMPLAINTS

The Investigation

The College will conduct a prompt, thorough and impartial investigation of a complaint as necessary and appropriate. The College will make every effort to complete its investigation within 15 days of a report of discrimination or harassment and will keep the investigation confidential to the extent possible.

Where a complaint alleges a potential violation of the Policy, the investigation will include an interview with both parties, as well as the person who made the initial report. The investigator may also review relevant documents, and both parties will have the opportunity to be heard and present information. The investigation process is strictly internal to The Philips College.

Findings and Recommendations

The investigator will report his/her findings to both parties and relevant departments as deemed appropriate.

Where the investigator concludes that a violation of this Policy has occurred, the relevant School or Department with the approval of the Grievance Committee will take prompt and appropriate remedial action, including disciplinary action. Depending on the circumstances, disciplinary action may include, reprimand/verbal counselling, censure, removal of privileges, letters of warning or suspension, and dismissal.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES FOR SEXUAL HARASSMENT

Sexual harassment is not only prohibited by the College, but is also prohibited by Law. Aside from the internal process at the College, employees/students may also choose to pursue administrative remedies outside of the College. However, the Philips College strongly encourages employees/students to use the internal reporting process as a starting point so that the college can promptly address conduct.

CONFIDENTIALITY

The College will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to extent permitted by law.

NON-RETALIATION

The Philips College will not in any way retaliate against an individual who reports a perceived violation of the Policy, participates in any investigation, or otherwise opposes perceived discrimination, harassment (including sexual/gender harassment), or retaliation, including as a witness.

SEXUAL ASSAULT

The medical, emotional, and legal needs of a sexual assault victim may differ from those of other harassment complaints. Sexual assault victims, therefore, in addition to filing a complaint under this Policy, report the assault to the police and pursue counselling and other services available at the university.