

## RESPECTFUL WORKPLACE COMPLAINT PROCEDURE

<b>Procedure Section:</b>	People & Culture	<b>Effective Date:</b>	October 24, 2018
<b>Policy Owner:</b>	Director, People & Culture	<b>Last Revised:</b>	May 1, 2025
<b>Policy Administrator:</b>	Manager, People & Culture	<b>Review Scheduled:</b>	Every 4 years
<b>Approver:</b>	Executive Committee		
The official controlled version of this document is held with the Legislative Compliance / Policy & Procedure Coordinator.			

### A. PROCEDURES

The purpose of this procedure is to outline the action(s) to be taken when an individual (e.g. employee, student, volunteers, contractor, or visitor) of Keyano College, experiences violence, harassment or discrimination. The College will ensure that an investigation appropriate to the circumstances is conducted when made aware of any incident(s) of workplace violence, harassment or discrimination. Complaints may be resolved through the informal resolution process or the formal complaint process, as set out below.

#### 1. Workplace Violence

Individuals who experience or witness violence, threats of violence, or believe that a colleague, student, or someone else on Keyano property is likely to become violent in the workplace, is expected to:

- 1.1 Report the incident immediately to Campus Security, his/her supervisor, and/or People & Culture Representative.
- 1.2 A risk assessment will be undertaken to ensure that the situation is not an immediate danger to any stakeholders. In the event that a risk is identified, immediate action will be taken to ensure the safety of stakeholders
- 1.3 Once safety is ensured, a written document of the incident will be created and an investigation will take place, in consultation with People & Culture. All investigations are to be conducted as expeditiously and as confidentially as possible. The respondent and the complainant shall have the right to representation by their union or association. The investigation process will proceed as per Option 2 or 3 outlined below.

#### 2. Workplace Harassment or Discrimination

Individuals who believe that they have been subjected to harassment and/or discrimination should, if possible, choose one or all the following methods to report the complaint:

## 2.1 Option 1

- a. Inform the person that you find the behaviour unwelcome and that you want them to stop. This can be done verbally or in writing.
- b. Document the complaint and keep a record detailing the incident. Write down factual dates, times, witnesses, location, what was said/done, etc.
- c. If direct communication with the offending individual is not possible or you are uncomfortable in bringing the matter directly to his/her attention or the communication has been unsuccessful in ending the objectionable behaviour, then you should contact either:
  - People & Culture
  - A person in a position of authority whom you trust, including the applicable union or association representative.

## 2.2 Option 2

- a. Parties involved in a harassment complaint may choose to have their issue resolved informally without undergoing a formal investigation procedure. The complainant and the respondent will meet to discuss the situation along with a trusted third person. The complainant and/or People & Culture may elect to have the complainant's supervisor, and Union or Association representative present during the meeting. If the complainant is a student, the Registrar or designate, must be present.
- b. Many complaints can be resolved informally, and this method of resolution usually leads to the most satisfying outcome for all parties. Informal resolution focuses on facilitating communication between the parties so that they can achieve a prompt resolution.
- c. After this process, if resolution is not achieved, both parties may elect to use a third-party mediator to develop an understanding of the problem and attempt to find a solution. The mediator may facilitate discussions or meetings between the parties. Mediation may take place at any time as long as both parties agree to proceed with such. The College will arrange for a trained mediator.

## 2.3 Option 3

- a. If the informal method for resolving a possible harassment situation fails or is not appropriate, the employee may file a formal written complaint with their leader or with People & Culture. Formal complaints of harassment will be handled, where possible, expediently and discreetly. Formal complaints will be investigated thoroughly by a trained investigator. People & Culture representative and/or an independent 3rd party specialist will conduct an investigation of harassment. The respondent and the complainant shall have the right to representation by their union or association, where applicable.
- b. The investigator will meet with the complainant, seek specific information on the complaint, and ensure the complainant fully understands the investigation process. The complainant will be advised that the complainant can withdraw from any further action in connection with the complaint, at any stage, although the College may continue to investigate the complaint.
- c. In a timely manner, the investigator will interview the respondent to obtain his/her written reply. If necessary, the investigator will interview any witnesses named by the complainant and respondent. All employees of the College have a responsibility to co-operate in the investigation.
- d. Following the conclusion of the investigation, the investigator will inform the Director, People & Culture and the Divisional Vice-President of the outcome of the

witness interviews to determine whether this policy has been breached. If necessary, the President will be informed/consulted.

- e. The complainant, respondent, and if applicable, their union or association representative will be notified when the investigation is concluded and the findings of the investigation.
- f. If there is a finding of harassment or discrimination in the workplace, appropriate remedial and disciplinary action will be undertaken.
- g. Details pertaining to the actual investigation will remain confidential in the secure custody accessible only by designated members involved with the investigation and their legal advisors. Disclosure of the circumstances of the complaint and/or persons involved will only occur if required for the investigation, corrective action or by law.

## 2.4 Option 4

- a. The College provides a confidential third-party reporting service called Confidence Line for individuals to file reports anonymously.
- b. Reports can be submitted by phone or online using Confidence Line. An agent is available to receive reports 365 days a year, 24 hours a day, and can be reached by calling 1-800-661-9675. The reporting can be done online using an accessible form through this link: [Confidence Line](#).

## B. DEFINITIONS

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| (1) | <b>Association:</b>   | means Keyano College Faculty Association (KCFA)  |
| (2) | <b>College:</b>       | means Keyano College   |
| (3) | <b>Compliant:</b>     | means the person who makes a complaint or brings a discrimination, harassment, or bullying issue to the attention of the employer  |
| (4) | <b>Discrimination</b> | means any attempt to harass an individual, in matters related to employment on the basis of prohibited grounds. Discrimination does not need to be intentional to be illegal   |
| (5) | <b>Harassment</b>     | means unsolicited or unwelcome conduct, comments, gestures, or contact which causes offence or humiliation to any individual; engenders fear or mistrust; or compromises an individual's dignity or sense of self-worth. It is an attempt by one person to exercise perceived power over another. The harasser knows, or ought to know, that the behaviour is unwelcome or coercive. Harassment includes engaging in a course of annoying comments or conduct against an individual in a workplace that is known, or ought reasonably to be known, to be unwelcome. It includes discriminatory and sexual harassment, bullying, or workplace violence as prohibited by law. Harassment can take many forms such as threats, intimidation or verbal abuse, unwelcome remarks or |

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jokes about subjects of a prohibited ground of discrimination, displaying sexist, racist or other offensive pictures or posters, deliberate misgendering, sexually suggestive remarks or gestures, inappropriate physical contact, such as touching, patting, pinching, or punching, physical assault, including sexual assault. Bullying is often characterized as harassment

**(6) Violence:**

Workplace Violence is defined as the threatened, attempted or actual conduct of a person that causes or is likely to cause physical harm and includes domestic or sexual violence that spills over to the workplace.

This may manifest as:

- the exercise of physical force by a person against any worker in the workplace that causes or could cause physical injury to that worker
- an attempt to exercise physical force against any worker in the workplace that could cause physical injury to that worker, and
- a statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against them or someone else in the workplace, that could cause physical injury to a worker

**(7) Investigation:**

means a fair and impartial fact-finding process, conducted by neutral experienced investigator, which leads to a decision and/or action by the employer.

**(8) Union:**

means the Canadian Union of Public Employee Local 2157 ("CUPE").

## **C. RELATED LEGISLATION**

- *Alberta Human Rights Act*
- *Alberta Occupational Health and Safety Act, Regulation and Code*

## **D. RELATED DOCUMENTS**

- Respectful Workplace Policy
- Admin Terms & Conditions of Employment
- CUPE Collective Agreement
- KCFA Collective Agreement

## E. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
10/24/2018	New Policy		Executive Assistant, President & CEO and Board of Governors	Executive Director Human Resources
05/01/2025	<p>New template conversion; updated Policy Owner &amp; Administrator</p> <p>Added reference to Registrar involvement where Students are involved</p> <p>Added clarity on party notification upon investigation conclusion</p> <p>Added Confidence Line as a complaint reporting option</p> <p>Added definition of violence</p> <p>Updates to related legislation section</p> <p>Previous version of the procedure will be rescinded</p>	<p>All</p> <p>B-2</p> <p>B-2</p> <p>B-2</p> <p>C</p> <p>D</p>	<p>Manager, People &amp; Culture; HR Business Partner</p>	<p>Director, People &amp; Culture</p>