



**AMS  
INTERIM HARASSMENT AND  
DISCRIMINATION PROCEDURE**

Date: September 2016

# PROCEDURE

<p><b>Purpose</b></p>	<p>The purpose of this procedure is intended to be a proactive measure to prevent Discrimination and Harassment in the workplace. It is meant to ensure that the AMS effectively addresses and responds to Reports and Complaints of Discrimination and/or Harassment in the workplace.</p> <p>This procedure to satisfy legal requirements regarding Discrimination and Harassment in the workplace, including those of the Human Rights Code and the Occupational Health and Safety Act.</p> <p>This procedure is meant to be followed in order to properly implement the Harassment and Discrimination Policy.</p>
<p><i>Records</i></p>	<p>The records of all complaints will be maintained a confidential manner for no more than two years after the termination or resignation of an employee. One file will be created for each complaint, and any supporting documentation including, but not limited to, communications, reports, statements and evidence will be kept within the file. All documentation of complaints shall be stored in the Human Resources Office. The Director of Human Resources is responsible for shredding these reports after the two year period after termination or resignation. If the Director of Human Resources is the complainant or respondent in a report or complaint, these documents will be kept with the Harassment Advisor to whom the report or complaint was made until the Director of Human Resources has left the organization. At that time, the documents will be transferred to the Human Resources Office.</p>
<p><i>Confidentiality</i></p>	<p>Information collected under the Harassment and Discrimination Policy and Procedure will be used only for the purposes of administering the policy and procedure. Information may be disclosed on a need-to-know basis and will only be done so to ensure the proper handling of the case, or to fulfil the legal obligations and guidelines laid out by Ontario Bill 132, Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment) 2016. To comply the Alma Mater Society will ensure:</p> <ul style="list-style-type: none"> <li>a) All files will be kept in the Human Resources Office for two years after the termination or resignation of the employee. After such time, the Director of Human Resources will dispose of the documentation in a confidential manner.</li> <li>b) Only the Director of Human Resources, the General Manager, the reporting Harassment Advisor, the complainant and any persons required to ensure interim and final measures are properly decided upon will have access to the files.</li> </ul>

		<p>c) All individuals involved in this procedure will be made aware of their duty to maintain confidentiality.</p> <p>d) Personal information obtained during the process of this procedure will not be disclosed except if the disclosure is necessary in investigations, corrective action, protecting the health and safety of members of the community, the complainant, the respondent, or any minor who may be endangered by the information disclosed. Personal information will be disclosed if in the event it is required by law.</p>
	<b><i>Step 1: Training of Harassment Advisors</i></b>	<ol style="list-style-type: none"> <li>1. The Director of Human Resources shall appoint 6-8 Harassment Advisors annually. These advisors will be appointed by the Director of Human Resources, in conjunction with the AMS Executive Team.</li> <li>2. The Director of Human Resources will publicly display or otherwise make readily available a list of AMS Harassment Advisors and their contact information.</li> <li>3. The Director of Human Resources will arrange for a training session for Harassment Advisors on their responsibilities.</li> <li>4. Director of Human Resources and the Commissioner of Social Issues will train AMS Harassment Advisors on the Harassment and Discrimination Policy and Procedure.</li> </ol>
	<b><i>Step 2: Reporting an Incident or Submitting a Complaint</i></b>	<ol style="list-style-type: none"> <li>5. Concerns relating to Discrimination or Harassment should first be raised through consultation with respective Supervisor. All Supervisors can seek guidance from a Harassment Advisor and/or the Director of Human Resources to aid in addressing or resolving concerns related to Discrimination and Harassment.</li> <li>6. In the event that the complaint is against a Supervisor, the employee should raise concern directly with a Harassment Advisor.</li> <li>7. If a Harassment Advisor is the Complainant's Supervisor, the employee should report to a different Harassment Advisor.</li> <li>8. Harassment Advisors will be required to advise that any information provided in a prospective forthcoming Complaint will be kept confidential, except in the specific circumstances outlined in the confidentiality clause of this procedure.</li> <li>9. The Alma Mater Society will ensure that all Harassment Advisors have available a complaint form for prospective Complainants.</li> <li>10. The Complainant is required to submit the Report to a Harassment Advisor in the format provided.</li> </ol>
	<b><i>Step 3: Interim Measures</i></b>	<ol style="list-style-type: none"> <li>11. As soon as a Harassment and/or Discrimination Complaint is made, the Harassment Advisor will decide whether or not interim</li> </ol>

		<p>measures are necessary. For example, a Complainant should not be expected to have interactions with the Respondent during the Complaints Process.</p> <p>12. Unless the Complaint directly involves the Director of Human Resources, the Director of Human Resources will assist in the development of alternative working arrangements to ensure that the Complainant and Respondent do not have to interact.</p> <p>13. Harassment Advisors may have to disclose that a Complaint is ongoing to the relevant Supervisor in order to ensure that interim measures are understood.</p>
	<p><b><i>Step 4: Establishing the Process and Investigation</i></b></p>	<p>14. The Harassment Advisor, in conjunction with the Director of Human Resources and General Manager, will review the Complaint form and will determine whether or not the actions described in the Complaint warrant an investigation.</p> <p>15. If modifications are made to the Complaint, the Director of Human Resources and General Manager will again review whether the actions coincide with the definitions of Harassment and Discrimination as outlined by the Policy.</p> <p>16. In the event that the Complaint would be more affectively handled by another policy governing either the AMS or the community, the Director of Human Resources will inform the Complainant.</p> <p>17. If the review of the Complaint would potentially align with the definition of Discrimination and/or Harassment, an investigation will commence. The establishment of the specific investigation process will be determined by the appropriateness of the circumstances.</p> <p>18. The Harassment Advisor will be responsible for informing the complainant of the process of their investigation.</p> <p>19. All investigations will ensure that the relevant parties understand the allegations and have the opportunity to submit all relevant information.</p>
	<p><b><i>Step 5: Determination and Corrective Action</i></b></p>	<p>20. The Harassment Advisor will ensure that the investigator determines whether Discrimination and/or Harassment has occurred.</p> <p>21. The Harassment Advisor will ensure that the results of the investigation are brought to the attention of the Director of Human Resources, who will ensure all appropriate corrective actions required.</p> <p>22. If Discrimination or Harassment is determined, the Director of Human Resources, will ensure effective steps to prevent the</p>

		<p>Complainant from experiencing Discrimination, Harassment and Reprisal in the future.</p> <p>23. Upon a confirmed determination of Harassment or Discrimination, the Director of Human Resources and General Manager will review the complaint and determine whether or not the Respondent should be investigated under the <i>Queen's Student Code of Conduct</i>, <i>The Criminal Code of Canada</i> or the <i>Human Rights Code of Ontario</i>.</p> <p>24. Upon a confirmed determination of Harassment or Discrimination, corrective measures may include non-disciplinary or disciplinary measures. Non-disciplinary measures can be, but are not limited to, educational workshops. Disciplinary measures will follow the progressive discipline system, as outlined in Article 6 of the <i>Alma Mater Society's Employee Policy and Procedures Manual</i>.</p> <p>25. Complainants will be informed of the outcome of the investigation and the corrective actions taken.</p> <p>26. The Director of Human Resources will be responsible for ensuring that all documentation is stored properly after the conclusion of the investigation.</p> <p>27. The Complainant will be provided with a handout outlining the available resources on campus that may assist them with coping and/or dealing with the effects of the incident or investigation. This handout will include, but not limited to, the Peer Support Centre, the Human Rights Office of Queen's University, the Alma Mater Society's Director Human Resources and Student Wellness Services.</p>
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