

# Humber College Institute of Technology & Advanced Learning

## College Resolution Procedure (CRP)

This College Resolution Process chart summarizes the complaint process addressed in the [Human Rights/Complaint Process-Discrimination & Harassment Policy](#) (the Policy). It is important that you use this chart in conjunction with the policy. Please refer to the Appendices in The Policy for definitions of key terms, such as discrimination and harassment. This document is intended to serve as a reference for the Human Rights Complaint Process and it is not a replacement for the [Human Rights/Complaint Process-Discrimination & Harassment Policy](#).

The Policy states that “The College President or designate may take action which diverges from procedures associated with this policy when he/she is of the view that:

- i) The safety of College community members is at risk or,
- ii) that a violation is deemed to be so serious that it is imperative that immediate action be taken, or that
- iii) other action is necessary to ensure that the College meets its legal obligations.”

### Step #1: Addressing the Issue (Informal Process)

If an individual feels that s/he is experiencing unwanted behaviour which would fall within the *Human Rights/Complaint Process-Discrimination & Harassment Policy*, the individual should make an effort, if possible, to advise the person who is the source of the behaviour, either verbally or in writing, that the conduct is unwelcome.

The individual should keep a detailed record of the behaviour experienced including date(s), time(s), location(s) and witness (es). This information may be of assistance when/if the concern is pursued further.

#### **Unwanted Behavior:**

**Persistent or vexatious use of denigrating, demeaning, or abusive comments or actions which have the effect of threatening, intimidating, or harming an individual or group.**



**Individual may choose to contact the Human Rights & Diversity Manager at 416.675.6622 x 4425.**



**The Human Rights & Diversity Manager provides information on the College Resolution Procedures (CRP).**

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### Step #2: Reporting

If the behaviour continues and/or the individual is unable or unwilling to approach the person who is the source of the perceived problem, the individual should contact one of the following persons below for advice and assistance. The name(s) of respondent(s) need not be disclosed at this stage.

**If you are a student:**

**You should speak to a contact person such as your Program Coordinator, Associate Dean, Nurse, Counselor in Student Services, Aboriginal Elder, Chaplain, Humber Students' Federation staff.**

**If you are an employee:**

**You should speak to a contact person such as your Supervisor or Manager.**



**For Students**

**If the matter is deemed to be a Human Rights complaint, the contact person or complainant will report the complainant to the HRM. If the complaint is deemed not to be a Human Rights complaint, the complainant will be informed of other College procedures that apply.**

**For Employees**

**If the matter is deemed to be a Human Rights complaint, the contact person or complainant will consult with the HRM. If the complaint is deemed not to be a Human Rights complaint, the complainant will be informed of other College procedures that apply.**

**If the employee is covered by a collective agreement, s/he is entitled to be accompanied by union representation.**

**Note:** A complaint must be brought within six months of the occurrence of the event(s). Please refer to Section F2.2. of the policy.

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### Step #3: Mediation

Mediation can often lead to successful resolution of a complaint. **The Human Rights & Diversity Manager** may recommend mediation to the parties at any stage in the process. 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 Human Rights & Diversity Manager may recommend Mediation at any time in the process.  
The complainant or respondent may request mediation.  
Both the complainant and the respondent must agree on a mediator.**



**Once there is agreement on proceeding with Mediation,  
the HRM will recommend a mediator.**



**The mediator will not make decisions, recommendations nor act as an advocate for either party. 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 HRM.**



- 1. If the respondent or complainant does not agree to mediation, Step 4 begins**
- 2. The mediator may recommend Step 4 (Step #4 – Investigating the Complaint).**

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### Step #4 – Investigating the Complaint (Formal Process)

At this step in the process, a formal complaint is lodged, and the **Human Rights & Diversity Manager** conducts an investigation.

A formal complaint will include a detailed record of the behaviour experienced including date(s), time(s), location(s), and witness (es).

**Complainant provides a written statement to the Human Rights & Diversity Manager outlining the complaint.**



**Respondent is informed of the complaint and is requested to provide a response within 5 working days.**

**If respondent fails to submit a response within 5 days, the Human Rights & Diversity Manager may take appropriate action.**



**The Human Rights & Diversity Manager or designee conducts an investigation. This may include interviews with respondent, complainant, witnesses to review reported facts.**



**The Human Rights & Diversity Manager forwards a report with recommended action to the Director of HR Services within 15 days.**

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### Step 5: Final Decision

The HR Services Director will review the case, and make a decision.  
A copy of the report will be provided to the complainant  
and respondent within 10 working days.



The decision may be appealed in writing within 10 working days  
to the President or designee.



A copy of appeal will be given to opposing party to allow  
a response within 5 working days.



The President or designee will review the investigation report,  
HR Director's decision, appeal submission and responses.

The President or designee may make a decision based on the  
Investigation report, appeal submission and response.

or

The President or his designee may decide to hold a Hearing.



If a hearing is held, it will be presided over by the President or designee.  
Both parties will be given an opportunity to state their position.  
President or designee may ask for information from  
anyone he/she feels can provide helpful information.

No cross examination and no lawyers.

The President will make a final decision.  
This decision cannot be appealed.