



York Catholic District School Board

PROCEDURE

Addendum to Policy 425: Workplace Harassment

Effective: March 2017

PURPOSE

These procedures are designed in conjunction with Policy 425: Workplace Harassment and outline the process for the reporting and the investigation of harassment.

1. **COMPLAINTS:**

Filing a Complaint

The complainant will submit a written complaint, in a timely manner* to his/her immediate supervisor.**

The written complaint should include the following:

- i) Name and contact information;
- ii) The nature of the allegation;
- iii) The name of the respondent, position and contact information if known;
- iv) The relationship of the respondent to the complainant (for example, colleague, member of the public, supervisor **)
- v) The date(s) and a description of the incident(s) including frequency and location;
- vi) If applicable, the names of the witnesses and contact information, if known;
- vii) Any supporting documents you may have that are relevant to the complaint;
- viii) List any documents that a witness, another person, or the alleged harasser may have that are relevant to the complaint.

The information provided should be as precise and concise as possible.

***Please refer to section 5.3 in the Workplace Harassment policy (Timely Manner).**

**** In the event the complaint is in regards to the employee's supervisor, the written complaint is to be addressed to the attention of the Superintendent of Human Resources who shall be considered the immediate supervisor in the steps outlined below.**

1.1.2 Screening and Acknowledgment of Complaint

Upon receipt of the complaint, the immediate supervisor shall acknowledge receipt in writing within two (2) work days.

1.1.3 Interim Measures

After a complaint is made, the immediate supervisor, in consultation with the School Superintendent/Superintendent of Human Resources will determine if any immediate action or interim measures are required to protect the health, safety and security of the complainant, the respondent, the Board, its community or any of its members. These measures may include but are not limited to:

- Limiting access to facilities and or areas within a department;
- Change in reporting relationship or worksite; or
- Discontinuing contact between the complainant and the respondent during the period of the proceedings under this policy.

Interim measures, if required, are to be implemented by the appropriate Board personnel. Both parties shall be notified of any interim measures to be implemented. Note that any interim measures are not intended as discipline or a transfer within the meaning of any collective agreement or policy. Where an

interim action is taken in the course of the investigation, those named will be presumed innocent until a final determination to the contrary is reached under the terms of this policy.

1.1.4 Investigation

- a) An investigation will commence within ten (10) work days of receiving the complaint. The investigation will be completed within ninety (90) calendar days or less, unless there have been extenuating circumstances which shall be communicated to both parties prior to the expiration of the ninety (90) calendar days.
- b) Any complaint of harassment shall be kept confidential except as is necessary to investigate and resolve the issue and subject to *The Municipal Freedom of Information and Protection of Privacy Act*). Investigators will stress the confidentiality of the investigation with any person(s) interviewed.
- c) The investigator shall
 - i) Interview the complainant and respondent separately;
 - ii) Interview all witnesses separately, including any non-employees, if possible;
 - iii) Provide written explanation as to why any named witnesses were not interviewed;
 - iv) Provide a written report.

1.1.5 Once an investigation is complete, the School Superintendent or Superintendent of Human Resources shall review the report to determine whether, on a balance of probabilities, harassment occurred and what remedies, if any, are warranted.

1.1.7 The School Superintendent or Superintendent of Human Resources shall inform the complainant, and the respondent, in writing of the decision within ten (10) calendar days of the conclusion of the investigation and if any, the corrective and/or disciplinary measures and actions.