



Human Rights Discrimination and Harassment Policy

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1. Purpose

- 1.1. George Brown College (the “college”) believes and acknowledges that:
 - every member of the college community should experience and contribute to an understanding and respectful learning, working and living environment that is free from discrimination, harassment and hate;
 - it should foster a climate of understanding and mutual respect, so each member of its community feels able to contribute to college activities and objectives;
 - it is public policy in Ontario to recognize the inherent dignity and worth of every person, and to provide for equal rights and opportunities without discrimination.
- 1.2. The policy is to help fulfil these beliefs and to achieve and maintain compliance with the Human Rights Code and the Ministry of Training Colleges and Universities Act.
- 1.3. This policy supports the proactive creation of an inclusive post-secondary environment at the college, as well as the effective response to reports and complaints of harassment, discrimination and hate as defined within the policy and in accordance with the Ontario Human Rights Code.

2. Policy Statement and Commitment

The college is committed to creating, fostering, and maintaining a welcoming and affirming learning and working and living environment, where all our community members feel a sense of inclusion and belonging.

The college will continue to take meaningful, deliberate, and sustained action to address harassment, discrimination, and hate in all forms, including the hate experienced by members of racialized and minoritized communities including Asian, Black, Indigenous, Jewish, Muslim, 2SLGBTQIA+ communities and persons with disabilities and all communities protected under the Ontario Human Rights Code. The Human Rights Code prohibits harassment and discrimination on the basis of race, gender identity, ancestry, gender expression, place of origin, age (18 years or older), colour, record of offences (employment only), receipt of public assistance (for housing only), ethnic origin, marital status, citizenship, family status, creed, sexual orientation, sex (including pregnancy and breastfeeding), and disability.

The college recognizes and commits to addressing harassment and discrimination in any of its forms through initiatives that;

- engage the college community in authentic learning opportunities;
- challenge us to deeply reflect on our systems, practices, policies, and procedures;
- inspire us to create an equitable and inclusive learning, working, living, and organizational culture and climate that is free of racism and hate in all its forms.

This does not diminish the college's role as a place for open discussion and free inquiry where diverse voices can be heard, and ideas and viewpoints can be explored and discussed freely and debated openly without fear of reprisal. However, this freedom of expression – the right to hold and express beliefs without interference – and the corresponding right of faculty and students to pursue research and scholarship without interference, are not unlimited, however. Expression that violates the law, including the Human Rights Code, will not be permitted.

It is the shared responsibility of every member of the college community to foster an environment that is free from hate and discrimination. This responsibility includes actively striving to understand what constitutes hate and discrimination, familiarizing ourselves with the policies and procedures in place for addressing such concerns, and fully cooperating with the processes for resolving complaints and reports under these guidelines. The college community has a collective duty to ensure that our interactions and areas of influence reflect our commitment to equity, diversity inclusion, and respect for all.

It is essential for every member of the college community to recognize that behaviors rooted in, or influenced by, conscious and/or unconscious bias, hate, prejudice, or negative stereotypes often underlie harassment and discriminatory conduct.

Even when such behavior may not meet the formal definitions of harassment or discrimination under our policies, it can still profoundly affect an individual's ability to fully participate in the college's learning, working and living environments.

The college's approach to addressing these behaviors is intended, where possible to be systemic, remedial and restorative. This includes our commitment to education and proactive initiatives designed to promote equity, diversity, inclusion, accessibility, anti-racism, and Indigenization on our campus.

3. Defined Terms

The following are technical and legal terms that are defined for the purpose and context of the policy and by applicable law (ex. Ontario Human Rights Code) to help make this policy clear.

Term	Definition
Academic Freedom	<p>Academic freedom includes the right, without constriction to:</p> <ul style="list-style-type: none"> • freedom of expression in the learning environment, • freedom in carrying out research and disseminating and publishing the results thereof, • freedom in producing and performing creative works, • freedom to engage in service to the college and the community, • freedom to express their opinion about the college, its administration, or the system in which they work, • freedom from institutional censorship, and • freedom to participate in professional or representative academic bodies. <p>Protections for Academic Freedom may be found in Academic Codes of Conduct, Collective Agreements, and other college policies.</p> <p>In exercising such freedom, there is a responsibility to adhere to the college's anti-hate, anti-discrimination, and anti-harassment policies, as well as the law as it pertains to Human Rights and Hate Propaganda as defined under the Criminal Code of Canada, any other relevant legislation,</p>
Advisor	<p>"Advisor" refers to a Human Rights Advisor employed in OAREHRS (defined below). Advisors are responsible for:</p> <ul style="list-style-type: none"> • developing, leading and assisting in education and prevention programs intended to inform Community Members about harassment and discrimination. • offering expert opinions and advice related to this policy and its complaint resolution process to complainants, respondents and administrators. • serving as case manager for complaints; and • establishing interim measures pending the resolution of complaints. • data collection and reporting procedures related to case management duties. • Advisors do not investigate complaints, act as advocates or offer legal advice.

Term	Definition
Balance of Probabilities	A test used in civil law that asks, “Based on the evidence presented, is it more likely than not that an action that is alleged took place?”
Community Members	<p>Community Members includes George Brown College students, faculty, staff (whether or not employees), management, volunteers, visitors (including guest speakers), advisory committee members, governors and student and other groups that are formally recognized by the college.</p> <p>It also includes organizations at which college students are placed (“Placement Organizations”) and organizations who provide goods and services to the College (“Vendors”).</p>
Complainant	A Community Member who makes a complaint under this policy.
Discrimination	Discrimination refers to the unequal or differential treatment based on a Prohibited Ground – whether intentional or not - that results in a disadvantage. Discrimination can be direct, indirect or systemic in nature. It includes the failure to accommodate persons based on a Prohibited Ground.
Duty to Accommodate	The duty to make every reasonable effort, short of undue hardship, to meet needs of persons based on a disability, family status or another Prohibited Ground. These efforts aim for integration and must respect individual dignity, worth, privacy, autonomy and individuality. A failure to meet this duty is a form of discrimination.
Freedom of Expression	<p>The right to speak, write, listen, challenge and learn, must be protected as it is essential to discovery, critical assessment and the effective dissemination of knowledge and ideas and leads to social and economic advancement as recognized by the college’s Freedom of Expression Policy.</p> <p>Expression that violates the law, including the Ontario Human Rights Code, is not permitted. Expression that constitutes harassment, a threat or hate speech is not permitted. Other context-specific boundaries to freedom of expression may also apply, such as those arising out of the terms of employment and collective agreements.</p>

Term	Definition
Harassment	<p>Harassment refers to discriminatory harassment, namely a course of vexatious comment or conduct based on a Prohibited Ground, that exceeds the bounds of free expression or academic freedom as these are protected under college policies, which is known or ought reasonably to be known to be unwelcome.</p> <p>Harassment normally requires a 'course' of conduct or comment, but a single incident can be sufficiently egregious to constitute harassment.</p>
Hate	<p>Hate refers to the extreme bias or hatred of persons or groups based on a particular Prohibited Ground. The college recognizes the historical and ongoing hate experienced by certain groups, including the Black, Indigenous, Jewish, and Muslim communities, along with trans people and 2SLGBQIA + communities, women, and other communities characterized by Prohibited Grounds.</p> <p>Hate is a form of discrimination. The Criminal Code of Canada criminalizes expression and conduct motivated by hate that targets an identifiable group.</p>
Intersectionality	Occurs when individuals experience discrimination or harassment based on more than one of the Prohibited Grounds, such as harassment based on race and creed.
OAREHRS	Refers to Office of Anti-Racism, Equity and Human Rights Services.
Poisoned (Negative) Environment	Occurs when one or a series of vexatious comments or behaviours that are related to a prohibited ground, and are of a significant nature or degree, create an offensive or intimidating learning, working and living environment for individuals or groups. A complainant does not have to be a direct target to be adversely affected by a negative environment. Can also be found where harassment or discrimination is condoned or ineffectively responded to by persons in authority.
Prohibited Grounds	The grounds for discrimination that are prohibited by the Ontario Human Rights Code: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, disability, receipt of public assistance (housing accommodation only) and record of offences (employment only).

Term	Definition
Racism	An ideology that either explicitly or implicitly asserts that one racialized group is inherently superior to others. Racist ideology can be openly manifested in racial slurs, jokes or hate crimes. However, it can be more deeply rooted in attitudes, values and stereotypical beliefs. In some cases these beliefs are unconsciously maintained by individuals and have become deeply embedded in systems and institutions that have evolved over time.
Respondent	A Community Member that is the subject of a complaint under this policy.
Responsible Administrator	A Responsible Administrator is responsible for resolving complaints. Where the Respondent is a faculty member, instructor or teaching assistant, the Dean will normally be the Responsible Administrator. Where the Respondent is a staff member, the decision-maker will be one level above the Respondent's direct supervisor. For students who are Respondents, the Responsible Administrator is the Associate Vice-President, Student Success.
Senior Administrator	A Senior Administrator is defined as the President and the Vice-Presidents of divisions across the college.
Sexual Violence	An umbrella term that covers any sexual act or acts targeting a person's sex, sexual orientation, gender identity or gender expression, whether the act is online, physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent. Sexual violence includes a range of behaviours, including, but not limited to, sexual assault, sexual harassment, sexual abuse, sexual misconduct, stalking, indecent exposure, human trafficking, voyeurism, sexual exploitation, drug-facilitated sexual assault, sexual coercion, cyber sexual harassment, technology-facilitated sexual abuse, recording and distribution of a sexually explicit photograph, stealing, sexual solicitation, sexual innuendos, stalking and intimate partner violence.

4. Scope

- 4.1. This policy applies to all Community Members in respect of:
- educational and other services provided by the college;
 - employment by the college;
 - living accommodation provided by the college.

- 4.2. This policy applies to incidents of discrimination or harassment that occur between Community Members when involved in college-related activities on or off college premises including, but not limited to:
- while engaged in academic- or work-related activities;
 - in the course of academic placements or academic-related work;
 - in the course of work-related assignments;
 - over the telephone; or through e-mail or other electronic communication, such as text messaging or on social networking web sites.
 - during academic- or work-related travel; or
 - at college-related social functions.
- 4.3. Situations where the harassment and/or discrimination constitutes a poisoned environment, including where there is no individual Complainant and the college has reasonable grounds to believe the conduct creates a poisoned environment for other Community Members, or where there is a Complainant but they are not the individual who directly experienced the harassing or discriminatory behaviour.

5. Principles

- 5.1. The college learning, working and living environment should be free from hate, discrimination, and harassment.
- 5.2. Learning and work are best accomplished in a climate of inclusion, equal opportunity and mutual respect.
- 5.3. Every Community Member has a role in creating a learning, working and living environment that is free of hate, discrimination, and harassment.
- 5.4. Claims based on Prohibited Grounds that compete with each other should be resolved in a way that respects the rights of all of the parties involved.
- 5.5. Any remedy for a finding of discrimination or harassment should:
- take a constructive and reparative approach whenever possible;
 - clarify the expectations and understanding of the Complainant and the Respondent regarding the conduct of concern;
 - mitigate the impact of the discrimination or harassment upon the Complainant's study or work;
 - prevent further incidents of the conduct occurring between the Complainant and the Respondent and, where appropriate, within the college community generally; and
 - aim to correct the behaviour of the Respondent.
- 5.6. The college has bona fide academic, employment, or housing requirements that may warrant differential treatment - requirements essential to ensuring the safety of all Community Members and the fulfilment of legitimate work and academic purposes.

- 5.7. Special programs designed to benefit disadvantaged groups or individuals within the college community do not constitute discrimination.
- 5.8. Individuals may choose to seek a remedy from the Human Rights Tribunal of Ontario or under a collective agreement instead of seeking redress under this policy.
- 5.9. Nothing in this policy limits an individual's ability to make a complaint to the Ontario Ombudsman.

6. Prohibition and Responsibilities

- 6.1. No Community Member shall:
 - engage in discrimination or harassment based on a Prohibited Ground;
 - file a complaint under this policy to purposely annoy, embarrass or harm a Respondent;
 - impede or attempt to impede an investigation conducted under this policy or fail to answer a question or request for documentation made by an investigator appointed under this policy without good cause;
 - retaliate or threaten to retaliate against a person for reporting an incident, for filing a complaint, for cooperating with or participating in an investigation or decision-making process or for otherwise pursuing their rights under this policy.
- 6.2. The college will:
 - increase community awareness of this policy, the responsibilities it imposes and its objectives
 - pay attention to historical and ongoing injustice and prejudice and proactively change institutional structures that contribute to systemic discrimination;
 - assess the college systems, practices, policies, and procedures with a view to dismantling systemic oppression on the basis of all Prohibited Grounds;
 - engage the college community in authentic learning opportunities about anti-discrimination and anti-oppression, including but not limited to anti-Black racism, anti-Indigenous racism, antisemitism, and Islamophobia;
 - implement measures to support dialogue between Community Members for early intervention and de-escalation when tensions arise;
 - deal quickly, fairly and effectively with complaints of discrimination or harassment;
 - safeguard the rights of Complainants and Respondents throughout the complaints resolution process, including by honouring all entitlement to representation that arises under a collective agreement;
 - meet its Occupational Health and Safety Act duty to appropriately investigate all incidents and complaints of workplace harassment;
 - maintain the confidentiality of all information gathered in the complaints resolution process subject to the limitations set out in this policy;

- provide appropriate training to those involved in complaint resolution;
 - deal with Placement Organizations and Vendors in a manner that supports the objects of this policy; and
 - hold all Community Members accountable for failing to meet their responsibilities under this policy.
- 6.3. Senior Administrators shall exhibit strong, visible and ongoing commitment to preventing all forms of discrimination and harassment.
- 6.4. Responsible Administrators shall make decisions as contemplated by the complaints resolution process as well as:
- familiarize themselves with this policy and its complaints resolution process; and
 - identify and immediately address discriminatory and harassing behavior within their scope of responsibility that is amenable to correction; or
 - report the discriminatory and harassing behavior to an Advisor without delay.
- 6.5. Placement Organizations and Vendors shall comply with the Human Rights Code, shall employ duly diligent oversight and supervision to protect Community Members from discrimination and harassment and shall cooperate with any college investigation undertaken under this policy.

7. Prevention Through Education

OAREHRS will develop an anti-racism, anti-oppression, and human rights education strategy, including campaigns, programs and events and ensure education and prevention activities are accessible for all Community Members.

The topics will include but are not limited to:

- Understanding Human Rights, Freedom of Expression and addressing and preventing racism and hate
- Understanding rights and responsibilities under GBC's Human Rights related policies
- Understanding the complaint resolution process, including how to access support, report or make a complaint and file an appeal
- Trauma-informed responses to complaints and investigations.
- Bystander intervention.

In addition to the above, OAREHRS will develop an education strategy for decision-makers which will include understanding procedural fairness, counteracting bias, and trauma-informed responses.

The college will review its education plans every five (5) years to coincide with policy review timelines

8. Where to Obtain Help or Learn About Filing a Complaint

- 8.1. Any Community Member who has a concern about discrimination or harassment may speak with an Advisor. Advisors will provide objective and confidential advice about this policy, filing a complaint, and options for seeking resolution.
- 8.2. In most situations Community Members may choose whether or not to proceed with a complaint. In some circumstances, however, providing specifics to an Advisor may compel the college to act in order to protect other Community Members.
- 8.3. When appropriate and desired by the Community Member who brings forward a concern but does not complete an intake form, Advisors may facilitate informal resolution in the absence of a complaint. This will be done together with the Responsible Administrator and will be documented.

9. Complaint Resolution Process

Parameters of the complaints resolution process:

- 9.1. Complaints that allege sexual violence will be addressed under the college's Sexual Harassment and Sexual Violence Policy. Complaints that allege harassment that is not based on a Prohibited Ground will be addressed by Labour Relations, Human Resources or the Office of Student Conduct and Support, depending on the parties involved.
- 9.2. The college is solely responsible for processing complaints and pursuing sanctions against Respondents. The college will respect Complainants' significant interest in the manner in which their complaints are resolved, but Complainants only have rights to participate in the process set out in this policy.
- 9.3. The college may depart from the process outlined herein as it deems appropriate, with a view to achieving the just, most expeditious and least expensive resolution to every complaint. Complaints against Placement Organizations, Vendors and visitors may be dealt with through a more expeditious process than set out below. Respondents who believe the process to be followed by the college is not sufficient in the particular circumstances should write to the college and explain why without delay.
- 9.4. All decision-making responsibilities under this process may be delegated.
- 9.5. The college may resolve a complaint informally as it deems appropriate. It may, for example, mediate a resolution between a Complainant and

Respondent. Mediation is only appropriate if voluntary. Mediated resolutions will be reduced to writing and signed by the Complainant and Respondent.

Step 1 – Filing a complaint

- 9.6. Complaints must be made in writing, through the Intake Form, to an Advisor and must set out all the facts alleged to constitute harassment and discrimination, with dates and times, with the names of witnesses and with supporting documentation.
- 9.7. Complaints may be completed independently or with the assistance of an Advisor, are confidential, and shared only with those required under the policy.
- 9.8. Community Members may also submit a complaint. To file an anonymous complaint, complete the [Anonymous Complaint Form](#) or contact the OAREHRS at diversity@georgebrown.ca.
- 9.9. The college's ability to investigate or respond to the specific circumstances of a complaint may be limited if the Complainant chooses to remain anonymous. However, anonymous complaints are included in the college's annual reporting (without identifying information) to help the college better understand the community environment and support the creation and maintenance of a more inclusive learning, working, and living environment.

The delivery of a complaint initiates a complaint resolution process. Complaints of harassment, or discrimination must be made within one (1) year of the alleged incident, or if related to a series of incidents, within one year after the last incident in the series. Complaints made outside of the one (1) year timeline must explain the cause of the delay. OAREHRS reserves the right to determine whether an untimely complaint will proceed to informal resolution or investigation.

- 9.10. OAREHRS will confirm receipt of a complaint no more than 30 days from filing the complaint along with an outline of the steps in the process and the estimated time for the issue to be addressed (including interim measures, where appropriate). Complaints will be resolved within 12 months of the date the complaint was received, unless there are extenuating circumstances. The parties to a complaint will be notified if it is believed that the complaint will take longer than 12 months to resolve.

Step 2a - Preliminary complaint assessment

- 9.11. OAREHRS will receive and assess complaints to determine whether they should be resolved under this process or another process.
- 9.12. If a complaint does not set out a prima facie case of discrimination or harassment, OAREHRS will advise the Complainant that it will not be investigated. OAREHRS may also advise of alternative forms of support.

- 9.13. If a complaint is untimely, OAREHRS will consider whether it should nonetheless be investigated in light of the reason for the delay, the potential prejudice caused by the delay and the college's interest in maintaining a harassment and discrimination free learning, working, and living environment.
- 9.14. If a complaint is already the subject of a grievance or an application before the Human Rights Tribunal of Ontario, OAREHRS may temporarily suspend the complaint resolution process.

Step 2b - Interim measures and notification

- 9.15. After determining that a complaint sets out a prima facie case of discrimination or harassment, OAREHRS will consider whether interim measures are needed to protect a Complainant, Respondent and/or the investigation process. Interim measures are ordinarily developed in consultation with Public Safety and Emergency Management, Human Resources/Labour Relations and the Responsible Administrator
- 9.16. Interim measures are non-punitive, temporary and reasonable measures that are implemented to protect the parties, communities and the integrity of the process during the Complaints Resolution Process.

Interim measures do not represent a finding of misconduct. Interim measures are without prejudice to the outcome of the complaint resolution process.

Examples of interim measures include, but are not limited to:

- No contact orders.
 - Separation of the parties.
 - Changes to residence.
 - Changes in employment reporting structures.
 - Changes to class and/ or section enrolments.
 - Change in learning, living or work environment, including changing from in-person to virtual, or vice versa.
- 9.17. OAREHRS may impose or amend interim measures at any time in the process when, having regard for the circumstances, it is deemed necessary. OAREHRS will consult with relevant parties on the need for and the nature of interim measures, including Public Safety and Emergency Management if there are any safety concerns.
- 9.18. OAREHRS will take steps to minimize the impact of interim measures on Respondents. Interim measures are not punishment and do not represent a finding of misconduct. Interim measures will be removed when the complaint resolution process is concluded.

Step 3 - Investigation

- 9.19.** OAREHRS will notify the Complainant and Respondent(s) in writing of the investigation.

The notice will include a summary of all the allegations made and will describe the interim measures to be implemented. OAREHRS will attach all relevant documents provided to the college by the Complainant.

The notice will also advise Complainants and Respondent(s) (a) of potential sources of support and (b) that any concerns about the appropriateness of the interim measures may be raised with OAREHRS without delay.

- 9.20.** The Responsible Administrator will then conduct an investigation or direct an internal or external investigator to conduct an investigation. An investigation will be conducted by an individual capable of conducting an unbiased investigation who was not involved in the events in issue.

Internal and external investigators will ordinarily be directed to:

- start the investigation by obtaining a written response and all documents upon which the Respondent relies
- interview the Complainant, Respondent and relevant Witnesses
- record all interviews in writing (i.e., produce witness statements)
- gather additional relevant documents and physical evidence
- produce a confidential written investigation report

- 9.21.** The investigator will conduct the investigation fairly and will give the Complainant and Respondent an opportunity to comment on all disputed facts before making findings of fact and producing a report.

- 9.22.** Throughout the investigation, Complainants and Respondents may invite a support person (including a union representative, Indigenous elder etc.) to meetings with the investigator, though the investigator may exclude a support person from all or part of an interview if the investigator believes the presence of the support person will affect the quality of the interview. For example, an investigator may believe that a student is unlikely to be forthright about private matters in the presence of a parent.

- 9.23.** The time required to commence and complete an investigation may vary, but investigations should ordinarily start and finish within 90 days. If the investigator believes the investigation will take longer than 90 days, the parties will be notified.

- 9.24.** The investigator's confidential written report will summarize the evidence, draw conclusions about credibility, make findings of fact and, if requested, provide an analysis on whether the facts support a finding of discrimination or harassment.

10. Decision Making

Step 4 - Decision Making

- 10.1. Responsible Administrators will review the summary of allegations, investigation report, any written submissions delivered by the parties, and any other relevant information to make a decision about whether this policy has been violated, and, if so, how it should be addressed.
- 10.2. Prior to making any decision, Respondents will be given a chance to address the results of the findings made in the investigation report in a meeting with the Responsible Administrator.
- 10.3. Responsible Administrators will invite Respondents to a meeting by sending a written notice at least five working days in advance. The notice will describe how the meeting will be conducted, who else has been invited to attend and who may attend at the Respondent's invitation. The notice will also include a summary of the evidence that the Responsible Administrator wishes the Respondent to address. Respondents should raise any questions they have about the meeting promptly, in writing.
- 10.4. The meeting will ordinarily be conducted informally, though the Responsible Administrator may vary the meeting procedure to ensure fairness. Respondents may attend with union representation or support person (ex. parent, Indigenous elder etc.)

Step 5 - Accountability Measures and Progressive Discipline

- 10.5. Responsible Administrators have a range of possible accountability measures they can impose following a finding of a violation of this Policy. In considering what accountability measures to impose, the Responsible Administrator may consider:
 - The Respondent's disciplinary history.
 - The nature and severity of the incident.
 - The college's role as an educational institution.
 - The requirements under any collective agreement.
 - The sanction and/or remedies sought by the Complainant.
 - The impact of the incident on the Complainant and the college community.
 - Any applicable legislation.
 - Any other relevant factors.
- 10.6. Accountability measures may include, without limitation,
 - the imposition of education, training or referral to counselling,
 - a letter of expectation,
 - a behavioural contract,
 - relocation or change of duties or supervision,
 - restrictions from a certain building, parts of campus or activities,

- no contact orders,
 - change of class, program, or residence, change in work assignment,
 - a written reprimand,
 - suspension from school, suspension from work without pay, termination or expulsion.
- 10.7.** Accountability measures are intended to be corrective, where possible. Not all accountability measures are disciplinary.
- The principles of progressive discipline will be considered when applying disciplinary measures. Accountability measures that are disciplinary include a written reprimand, suspension, termination, or expulsion
- 10.8.** Responsible Administrators will provide Respondent(s) with a written decision that includes reasons for the determination made, and if a violation of the policy is found, the consequences to be imposed.
- 10.9.** Responsible Administrators will provide the Complainant with a decision letter that describes findings of fact and whether a violation of the policy has been found. If a violation is found, the decision letter for the Complainant will also describe any consequences that have been taken or that will be taken.
- 10.10.** The decision letters will be communicated to the parties no more than twelve (12) months from when the complaint was received and will outline the appeals mechanisms available.

11. Appeals

- 11.1.** A Respondent may file a written appeal to the OAREHRS within ten (10) days of receiving a decision from the Responsible Administrator by writing to the Associate Vice-President, OAREHRS.
- 11.2.** The appeal will be heard by a Senior Administrator who has had no prior involvement in the matter under appeal and who is not in an apparent or real conflict of interest. The Senior Administrator is not required to discuss the written appeal with the Respondent before deciding the appeal.
- 11.3.** An appeal is not a reconsideration of Responsible Administrator's decision. The Senior Administrator who hears an appeal will affirm the Responsible Administrator's decision unless (a) the procedure employed the Responsible Administrator was unfair and reconsideration is warranted or (b) the Responsible Administrator's decision is unreasonable in light of the evidence put before the Responsible Administrator.
- 11.4.** The Senior Administrator who hears an appeal shall receive appropriate training for this role and may seek confidential legal advice.

- 11.5. In most cases, the Senior Administrator will normally issue their decision in fifteen (15) business days. The decision is final, and there is no further right to appeal. If the appeal is expected to take more than 15 business days, the parties will be advised.
- 11.6. Nothing in this policy limits a party's ability to make a complaint to the Ontario Ombudsman.

12. Data Governance and Annual Reporting

All records relating to this complaints resolution process shall be kept confidential in OAREHRS, including records of decisions, appeal decisions and informal resolutions.

- 12.1. Personal data will only be used for the purpose of its collection.
- 12.2. The college will collect data and prepare an annual report on the following:
- The number of complaints reported by the GBC community
 - The type of complaints (including whether verbal, physical, property related)
 - The number of complaints that do not proceed to a review (i.e. investigation)
 - The number of complaints resolved via informal resolution
 - The associated Human Rights Code ground
 - The associated subcategories of Code grounds and applicable intersectionality
 - The incident outcomes, including response and resolution times, the findings of investigations, and the involvement of law enforcement.
- 12.3. The college will provide its Board of Governors and the Ministry of Colleges and Universities with an annual report detailing the information identified above and publish it on the college's website without identifying personal information, information that would compromise personal privacy, or otherwise confidential information.

13. General

Breach of this policy or failure to meet the duties set out in this policy may result in discipline, up to and including discharge (for employees) and up to and including expulsion (for students). Student discipline will be administered in accordance with any guidelines or principles set out in the Code of Student Behavior and Community Standards. Visitors may be trespassed, and Placement Organizations and Vendors may be sanctioned appropriately.

This policy shall have force and effect from the day it is approved (the "Effective Date"), shall replace and supersede all prior versions of the policy and shall apply

to and define all alleged misconduct that falls within the scope of this policy regardless of when such conduct is alleged to have occurred, except in the case of a complaint for which an investigation, hearing or appeal has commenced prior to the Effective Date.

This policy is not intended to conflict with provisions in a collective agreement. To the extent such conflict arises, the collective agreement shall prevail.

14. Policy Review

This Policy will be reviewed by OAREHRS at minimum every five (5) years, and periodically in light of changes to legislation or policy, specific direction by senior management or as deemed appropriate by OAREHRS and/or an agreed recommendation by stakeholders. This policy is subject to the Board of Governors' approval and will be reviewed and amended once every five years with meaningful consultation with the George Brown College community.

The policy review will include a consultative process (as outlined in the GBC community consultation protocol) with key stakeholders, including students and those communities disproportionately affected by anti-Black racism, anti-Indigenous racism, antisemitism, and Islamophobia, along with members of the 2SLGBTQIA + communities, women, persons with disabilities and other communities characterized by Prohibited Grounds

The review will include establishing a process, in consultation with elected student governing bodies, for the provision and consideration of input from a diverse selection of students in all reviews of this Policy.

15. Resources and Information

Faculty, staff, and students can access advice and information about Harassment and/or Discrimination from a variety of college offices. The following are official offices of the college that have undertaken training and education about the Policy and its Procedures that are available to provide advice and information on behalf of the college:

- Office of Anti-Racism Equity and Human Rights Services (OAREHRS)
- Public Safety and Emergency Management
- People and Culture
- Student Conduct and Support and Well-being

The above offices are resources available for information and support; they can assist a Complainant in preparing a complaint, but those wishing to file a complaint should do so by directly contacting the Office Anti-Racism, Equity and Human Rights Services at diversity@georgebrown.ca.

16. Non-Compliance Implications

This policy, sanctioned by George Brown College, is an institutional regulation requiring compliance across the college. Failure to comply with this policy may result in disciplinary measures commensurate with the offence in accordance with relevant academic and administrative codes of conduct and collective bargaining agreements.

17. [Related Policies and Resources](#)

- Academic Employees Collective Agreement
- Accessibility Learning Policy
- AODA Accessibility Policy
- Code of Non-Academic Student Behaviour
- Employee Code of Conduct - Academic Staff
- Employee Code of Conduct - Administrative Staff
- Employee Code of Conduct - Support Staff
- Freedom of Expression
- Guidelines on Secure Handling of Confidential Information
- Part-Time Support Staff Collective Agreement
- Privacy Policy
- Sexual Harassment and Sexual Violence Policy
- Support Staff Collective Agreement
- Workplace Accommodation Policy
- Workplace Violence and Harassment Prevention Program
- Whistleblower Policy

18. Governing Laws and Regulations

- Ministry of Training Colleges and Universities Act
- Occupational Health and Safety Act
- Ontario Human Rights Code

19. Related Materials

- Ontario Human Rights Commission www.ohrc.on.ca/en
- ohrc.on.ca/en/racism-and-racial-discrimination-systemic-discrimination-fact-sheet