



Respectful Workplace and Learning Environment Complaints Procedure	
Policy: Respectful Workplace and Learning Environment	
Category: Administrative	Approval Date: June 27, 2022
Procedure Owner: Chief Human Resources Officer	Effective Date: July 1, 2022
Procedure Administrator: Operations Manager, People and Culture	Review Period: 3 Years
Associated Documents: Respectful Workplace and Learning Environment Policy Respectful Workplace Training Procedure Respectful Workplace and Learning Environment Complaint Form	

PURPOSE

The purpose of this procedure is to:

1. Specify the actions to initiate, address (informally & formally), respond, and report when someone believes an employee, student, third party contractor, visitors, or volunteer has breached the Respectful Workplace and Learning Environment Policy;
2. Demonstrate Red Deer Polytechnic's commitment to a healthy, safe and respectful work and learning environment;
3. Inform complainants and respondents of the process;
4. Standardize good faith, confidential, timely, and appropriate response to complaints; and
5. Affirm Red Deer Polytechnic's commitment to the principles of natural justice and procedural fairness.

PROCEDURE

General

1. In an emergency situation, call 911 or Campus Security.
2. Confidentiality, including the identity of parties and witnesses, must be balanced against the requirements of procedural fairness, and any disclosure obligation imposed by law. Individuals who are interviewed about a complaint must not discuss the allegations, evidence or other information except to their union or association representative, legal counsel, chosen support, or unless required by law.

3. Red Deer Polytechnic will protect, to the extent possible, the complainant making an allegation in good faith or providing information related to an allegation from reprisals in a manner consistent with relevant legislation.
4. Where it is necessary for Red Deer Polytechnic to inform employees and students about a specific (e.g. domestic violence) or general threat of violence or potential violence, Red Deer Polytechnic will only disclose the amount of personal information that is required for that purpose.

Anonymous Complaints

1. Anonymous complaints may be made using the [Respectful Work and Learning Environment Complaint form](#).
2. Red Deer Polytechnic's ability to address anonymous complaints may be limited if there is not enough information to determine the appropriate next steps.
3. Individuals are encouraged to identify themselves when making a complaint to ensure that the necessary details are obtained to appropriately address their complaint and direct the complainant to assistance and support.

Informal Resolution

1. Attempts to address the issue should be conducted informally, where appropriate, prior to initiating a formal complaint.
2. Informal resolution processes can be effective in resolving issues related to harassment but require the willingness of the parties to participate. They are voluntary processes and cannot be forced on the parties.
3. Informal resolution is often more timely than the formal complaint process, less disruptive to the working or education environment, involves fewer people, and generally helps preserve working or educational relationships.
4. Whether or not a written complaint has been filed, a person who experiences harassment should be encouraged, if appropriate, to make the situation known to the other person as constructively as possible in an attempt to resolve the situation.
 - a. Informal resolution steps:
 - i. Talk to the person directly;
 - ii. Tell the individual that their behaviour is making you uncomfortable, that the behaviour is unwelcome; and
 - iii. Ask them to stop.
5. The assistance of resources may be used to help prepare the employee/student for a meaningful conversation:
 - a. Health, Safety and Wellness Centre, People and Culture, Associate Deans, Deans/Directors, Students' Association, manager/supervisor, union or association representatives and/or a support person of your choice.
 - b. Employee and Family Assistance Program (EFAP) through LifeWorks, respectful workplace training, or student supports such as Counselling Services and Accommodation Services.

6. If you are not comfortable or do not feel safe speaking with that individual, you are encouraged to speak with the individual's supervisor/Associate Dean, or another appropriate party about the behaviour, where appropriate.
7. Refusal of an individual to participate in the informal resolution process automatically moves the complaint to the formal complaint stage.

How to Make a Formal Complaint

1. A [Respectful Work and Learning Environment Complaint form](#) will be completed where it is believed an individual's behaviour has breached the Respectful Workplace and Learning Environment Policy.
2. The following information must be provided in the complaint form:
 - a. Complainant's name;
 - b. Complainant's contact information;
 - c. A description of the alleged breach;
 - i. Supporting information or documentation
 - ii. The approximate date(s)
 - iii. The name(s) of the respondent(s) suspected of the alleged breach
 - d. The resolution being sought.
3. Individuals can submit a complaint on this [complaint form](#) or directly to People and Culture in room 2204 (main campus), or peopleandculture@rdpolytech.ca.
4. Upon intake, the complaint will be assessed by the Chief Human Resources Officer (CHRO).
 - a. The CHRO will instigate an investigation when allegations, if proven, could constitute a violation of the Respectful Workplace and Learning Environment Policy.
 - b. The CHRO will provide confirmation of the intake to the complainant;
 - c. The CHRO will notify the investigation team of the receipt of the complaint as soon as circumstances permit; and
 - d. Contact required parties if the matter warrants the imposition of interim measures in accordance with provisions of the relevant collective agreement, employment contract, or Red Deer Polytechnic policies.

Investigation

1. The CHRO, or designate, will maintain the internal investigation team; appoint investigation team members, establish consistent processes, documentation and reporting templates.
2. An investigation will be initiated when the allegations, if proven, could constitute a violation of the Respectful Workplace and Learning Environment Policy and there is sufficient information upon which to base an investigation.
3. Investigations will be concluded as quickly as possible or within 90 days from the date of the complaint, unless documented circumstances warrant an extension of time.
4. Investigations will be conducted by an impartial internal investigator(s), or if appropriate, an external investigator.

5. All parties are expected to co-operate with investigations.
6. If anyone involved in the investigation process has accommodation needs they are encouraged to disclose their requirements to the investigators.
7. When an investigation is conducted, it will include:
 - a. Interview individuals with relevant information;
 - b. Gather and review documents, records, or other evidence relevant to the investigation;
 - c. Prepare an investigation report;
 - d. Provide findings to the CHRO whether the allegations are sustained or not sustained, either in whole or in part.
 - e. If sustained, outline the breach of policy.
8. Taking into account the severity of the breach, the CHRO may make decisions regarding remedial measures, recourse, or penalties in accordance with applicable Red Deer Polytechnic policy, if any, will be imposed.
9. Taking into account applicable privacy laws, the CHRO will provide to the complainant and respondent written reasons for the decision, a summary of the investigation, and any recourse to be taken, if applicable, normally within 10 business days of receiving the investigation report, unless further information is required.
10. The decision letter may also be provided to all such individuals the CHRO believes necessary to consult with regarding discipline, mitigation steps, or remedial measures.

Appeal Process

1. If either the respondent or the complainant alleges that a serious breach of procedural fairness occurred during the investigation process, they may appeal within the designated timelines:
 - a. Students may access the formal appeal panel process as outlined in the Student Appeals Policy.
 - b. Unionized employees may access the grievance or appeal processes provided for in the applicable collective agreement.
 - c. Exempt staff may appeal to the President in writing within 10 business days of receiving the written decision.
2. Appeals must include details of how and by whom a serious breach of procedural fairness occurred during the investigation process.