

RESPECTFUL WORKPLACE AND LEARNING ENVIRONMENT

Section:	Human Resources (HR)
Subject:	Employment Rights and Obligations
Legislation:	<i>Alberta Human Rights Act (RSA 2000, c A-25.5); Occupational Health and Safety Act (RSA 2000 cO-2)</i>
Effective:	May 31, 2018
Revision:	

APPROVED: _____
President and CEO

POLICY

The policy of the Board of Governors is to create a respectful, inclusive and diverse workplace and learning environment where all members of the SAIT community are valued and treated with dignity and respect.

PROCEDURE

DEFINITIONS

Advisor	A person who provides advice and assistance to a complainant, a respondent, and/or a witness.
Complainant	A person who initiates a complaint believing that a member of the SAIT community, whether that same person or another individual, has been the subject of discrimination or harassment.
Discrimination	Any act or omission that results in unjust or prejudicial treatment on a prohibited ground. Prohibited grounds of discrimination include race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation, and any other ground covered in Alberta’s human rights legislation.
Employee	A person employed on SAIT’s payroll, whether paid by annual salary or hourly wage.
Harassment or bullying	For the purposes of this procedure, harassment includes bullying. It is any inappropriate conduct, comment, display,

The official controlled version of this document is held in the Board of Governors Office.

action or gesture by a person (harasser) that constitutes a threat to an individual’s health or safety and that either:

- a) Is based on a prohibited ground of discrimination under Alberta’s human rights legislation, or
- b) Adversely affects an individual’s psychological or physical wellbeing where the harasser knows or ought reasonably to know this would cause the individual to be humiliated or intimidated and where the harasser’s behavior is either repeated or is a single, serious occurrence that has a lasting and harmful effect on the individual.

Investigator	A person who conducts the investigation into the alleged discrimination or harassment. The investigator may be internal or external to SAIT.
Management	An academic chair/coordinator, manager, associate dean/director, dean/director, associate vice president, vice president or president and CEO.
Respondent	The person alleged to have committed discrimination or harassment.
SAIT community	SAIT’s governors, employees, students, contractors, consultants, agents and volunteers.
Student	A person who is currently enrolled in a SAIT program or course.
Workplace and learning environment	Any physical or electronic environment where SAIT-related activities take place or where SAIT conducts business.

GOVERNING PRINCIPLES

1. This procedure applies to all members of the SAIT community while engaged in any activity related to their employment, contract, association or studies at/with SAIT. It applies whether they are on or off the SAIT campus (for example, business trips, conferences, social gatherings, online communications, and telephone calls).
2. Members of the SAIT community are responsible for creating a working and learning environment free from discrimination or harassment. This includes refraining from actions

The official controlled version of this document is held in the Board of Governors Office.



and behaviours that might constitute discrimination or harassment, and taking action to achieve the objectives of this policy and procedure.

3. Confidentiality will be maintained to the extent practicable and appropriate under the circumstances, and as permitted by law.
4. This procedure does not apply to situations where the behavior constitutes workplace violence (governed by procedure HS.1.2.1 Prevention of Violence) or sexual assault/sexual violence (governed by procedure AD. 2.13.1 Sexual Assault and Sexual Violence).
5. Complaints against student respondents shall follow the non-academic misconduct procedures set out in procedure AC.3.4.1 Student Code of Conduct.

PROCEDURE

A. General Requirements for Members of the SAIT Community

1. Members of the SAIT community will establish and maintain appropriate professional boundaries and behaviours within SAIT. Individuals unsure about this requirement should consult their direct supervisor or the Employee Services department.
2. Members of the SAIT community are responsible for:
 - a) Conducting themselves and encouraging others to conduct themselves in a manner that respects the personal dignity of each member of the SAIT community.
 - b) Being aware of and taking responsibility for the influence they may have over the physical, social and psychological well-being of other members of the SAIT community.
 - c) Being open and honest with other participants in the workplace and learning environment, while also recognizing the need for integrity and for sensitivity to others' needs, beliefs and experiences.
 - d) Demonstrating responsible scholarship, in accordance with SAIT's procedures governing scholarly activity and research integrity.
 - e) Demonstrating leadership and providing suitable opportunities for others to develop leadership skills through the working and learning environment.
 - f) Researching and presenting information which is in SAIT's best interests and which is current, valid and aligned with the needs and readiness of the participants in the working and learning environment.
 - g) Devoting sufficient time and attention to their duties and making impartial, informed and balanced decisions.

The official controlled version of this document is held in the Board of Governors Office.

- h) Designing and conducting the learning experience in a manner consistent with SAIT's vision and mandate.

B. Reporting Discrimination or Harassment

1. Informal

- a) A member of the SAIT community who has experienced discrimination or harassment during their employment, contract, association or studies at/with SAIT is encouraged to act before the behavior becomes repetitive by informing the respondent that the respondent's behaviour is inappropriate and asking that individual to stop the behavior.

2. Formal

- a) If a complainant's efforts to informally resolve the discrimination or harassment fail, or if a complainant does not wish to directly raise the matter with the respondent, or if a member of the SAIT community sees another person experiencing discrimination or harassment, the complainant should report this to one of the following advisors:
 - i) A supervisor or a member of management.
 - ii) Employee Services or an HR advisor.
 - iii) The association or union to which the complainant belongs (if applicable).
 - iv) Office of the Registrar (where the respondent is a student).
- b) The complainant may also directly report the situation to the SAIT Discrimination and Harassment Hotline at (403) 210-4406.
- c) Upon receiving a complaint, the advisor will call the SAIT Discrimination and Harassment Hotline for support in dealing with the complaint.
- d) The advisor shall inform the complainant of the following:
 - i) The complainant's right to file a formal written complaint.
 - ii) The availability of counselling through the Employee Family Assistance Program or Student Counselling.
 - iii) The importance of contacting the Security department and Calgary Police Services if the complainant believes the complainant's safety is at risk or feels threatened by the respondent.

The official controlled version of this document is held in the Board of Governors Office.

- iv) The right to not take any further action. However, the advisor will advise the complainant that SAIT must conduct an investigation if the complaint relates to workplace harassment.
- v) The need for a complaint against a student respondent to follow the non-academic misconduct provisions in procedure [AC.3.4.4 Student Code of Conduct](#).
- vi) The availability of other avenues of recourse (for example, the Alberta Human Rights Commission).

C. Resolution

1. Consultation

- a) If the complainant and advisor decide that no discrimination or harassment has occurred, the advisor will take no further action and will advise the Discrimination and Harassment Hotline accordingly.
- b) If the complainant and advisor decide that discrimination or harassment has occurred but the complainant does not wish to make a formal written complaint, no formal investigation will be undertaken, subject to paragraph B.2.d.iv) of this procedure. The advisor will notify the SAIT Discrimination and Harassment Hotline accordingly.

2. Filing a Complaint

- a) Even if the complainant does not wish to make a formal written complaint, the advisor may still make a written complaint if the incident is serious and/or if there have been previous substantiated complaints against the respondent. An advisor's written complaint should be signed and provided to the applicable member of management, Employee Services or the Office of the Registrar for further consideration.
- b) If the complainant decides to make a formal written complaint, the advisor may assist the complainant in drafting a complaint, using the Complaint Form included in Schedule A, Respectful Workplace and Learning Environment Guide, an Associated Document to this procedure.

3. Investigating the Complaint

- a) Upon review of the formal written complaint, an investigation should be launched as soon as possible. The advisor and Employee Services will jointly determine who shall be the investigator.
- b) The investigation should be completed within 30 days from receipt of the formal written complaint. This timeline may be adjusted as required by the investigator.

The official controlled version of this document is held in the Board of Governors Office.

- c) The investigator will provide copies of the complaint to the complainant, respondent, applicable member of management, Employee Services and/or the Office of the Registrar.
- d) At a minimum, an investigation should include individual interviews with the complainant, the respondent and any witnesses to the incident.
- e) Complainants have the right to:
 - i) Be accompanied by a supporter in any investigative interview.
 - ii) Be informed about on and off-campus services and resources.
 - iii) Be treated with dignity and respect.
 - iv) Decide whether or not to access available services.
 - v) Have reasonable actions taken to prevent further unwanted contact with the respondent.
- f) Respondents have the right to:
 - i) Appeal a decision as per the non-academic misconduct provisions of procedure AC 3.4.4 Student Code of Conduct in the case of a student respondent, or as per the applicable collective agreement in the case of other respondents.
 - ii) Be accompanied by a supporter in any investigative interview.
 - iii) Be made aware of the allegations made against them.
 - iv) Be treated with dignity and respect.
 - v) Know who has made the complaint against them.
 - vi) Respond to the allegations made against them.
 - vii) Have reasonable actions taken to prevent further unwanted contact with the complainant.
- g) On completion of the investigation, the investigator will inform the complainant and respondent that the investigation is finished and will provide the applicable member of management, Employee Services or the Office of the Registrar with the investigation's findings and recommendations.
- h) The applicable manager, Employee Services or the Office of the Registrar will inform the complainant and respondent whether the allegation is founded or not founded.

The official controlled version of this document is held in the Board of Governors Office.

- i) This policy and procedure does not prevent the parties from pursuing other avenues of recourse.
- j) For further information on complaints and investigations, see Schedule A, Respectful Workplace and Learning Environment Guide, an Associated Document to this procedure.

4. Resolution and Enforcement

- a) SAIT considers substantiated discrimination or harassment by any member of the SAIT community to be a serious breach of SAIT's FIRST Principles.
- b) If the investigation substantiates the complaint of discrimination or harassment and the respondent is not a student, the respondent will be subject to procedure HR.4.4.1 Corrective Action Procedures.
- c) If the investigation substantiates the complaint of discrimination or harassment and the respondent is a student, the respondent will be subject to the non-academic misconduct provisions of procedure AC.3.4.4 Student Code of Conduct (if the misconduct occurred in the respondent's role as a student), or to procedure HR.4.4.1 Corrective Action Procedures (if the misconduct occurred in the respondent's role as an employee).

5. Protection from Retaliation and Complaints Made in Bad Faith

- a) A member of the SAIT community who brings forward or who is involved in a complaint and/or investigation under this procedure will be protected from any form of retaliation by the respondent. Any such retaliation may result in consequences as set out in procedure HR.4.4.1 Corrective Action Procedures or in the non-academic misconduct provisions of procedure AC.3.4.4 Student Code of Conduct, as applicable.
- b) A complaint made in bad faith or to purposely annoy, embarrass or harm the respondent may result in the complainant being subject to consequences as set out in procedure HR.4.4.1 Corrective Action Procedures or in the non-academic misconduct provisions of procedure AC.3.4.4 Student Code of Conduct, as applicable.

ASSOCIATED DOCUMENTS

Schedule A Respectful Workplace and Learning Environment Guide

The official controlled version of this document is held in the Board of Governors Office.



POLICY/PROCEDURE REFERENCE

HR.4.10 Respectful Workplace and Learning Environment policy

PROCEDURE

The official controlled version of this document is held in the Board of Governors Office.