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PREPARED BY

Office of Human Rights,
Equity & Harassment Prevention

Some Dalhousie collective agreements define additional characteristics, on the basis of which members of the employee group in question shall not be subject to discrimination.

Harassment based on any of the above grounds is considered a form of discrimination and therefore is prohibited under the Act. In the case of employees, this will normally fall under the prohibition of discrimination in employment. With respect to students, the applicable provision of the Act is that which prohibits discrimination in the provision of access to services or facilities. The Act also explicitly prohibits sexual harassment, and Dalhousie University has a separate policy on sexual harassment.

Dalhousie is committed to addressing complaints of discrimination at the University. Students and employees who experience prohibited discrimination in the course of work or student or participation in University-sponsored organizations, activities and programs are encouraged to bring forward complaints as soon as possible after the events which gave rise to the complaints. Employees should make their complaints known to the Administrative Head of their unit or to the Human Rights & Equity Advisor. Students should make their complaints known to the Dean of the Faculty in which they are enrolled or to the Vice-President (Student Services). Complaints against employees of the University will be addressed according to the Statement on Prohibited Discrimination Complaints Procedure using informal resolution alternatives or a formal process. Complaints of discrimination by students will be addressed through the Code of Student Conduct. Where it is determined that prohibited discrimination has occurred, appropriate remedial or disciplinary action will be implemented in accordance with an relevant collective agreement, policy handbook, Code of Student Conduct or other applicable process for employees and students.

Should a complainant not be satisfied with the results of his or her complaint has been addressed by the University, he or she can file the complaint procedures of the Nova Scotia Human Rights Commission.

Complaints of sexual harassment should be addressed to the Advisor, Harassment Prevention/Conciliation Management in accordance with the provisions of the University's Sexual Harassment Policy.

Notwithstanding the existence of this policy, every person has the right to seek assistance from the Human Rights Commission or when a criminal act is involved, the police, even when actions are being taken under this policy.

18. The investigator's report will be submitted to the responsible Vice-President who shall ensure copies are provided to the Administrative Head, the Human Rights & Equity Advisor (for information and coordination), and the complainant and respondent. The report shall be confidential unless and unless an explicit disclosure is required by law in a subsequent proceeding. However, the complainant, the respondent or the Administrative Head shall be free to provide the report on a confidential basis to their respective advisors.
19. The Administrative Head shall then seek the advice of the normal seeks when dealing with employment matters (e.g., Faculty Relations, Staff Relations). The Administrative Head shall seek submissions from the complainant and the respondent, including submissions in respect of remedies, before making a decision on the complaint and/or regarding an remedial or disciplinary action.
20. The Administrative Head shall then make a decision as to whether there has been a violation of the Statute on Prohibited Discrimination and the appropriate remedial or disciplinary action in the circumstances. Where appropriate in employment-related situations, the Administrative Head will implement a disciplinary decision in accordance with the procedures provided for in an applicable collective agreement or policy handbook and the employee's handbook. The employee has the option of contesting the action through the applicable grievance or other complaint procedures.
21. There shall be no retaliation against a person on account of a complaint or an expressed intention to complain under his Procedure or on account of evidence or assistance given in respect of a complaint or a proposed complaint under his Procedure. Such retaliation shall be grounds for a complaint under his Procedure. If the respondent's Administrative Head of University has reasonable cause to believe that the complainant has made a bad faith, she/he shall, where appropriate, report the matter to the complainant's Administrative Head of University. A complaint made in bad faith shall constitute grounds for disciplinary action against the complainant, which shall be commenced in accordance with the existing collective agreements or other applicable disciplinary processes. A bad faith complaint is a complaint that

