



**The University of British Columbia
Board of Governors**

Policy No.:

3

Approval Date:

January 1995

Last Revision:

July 1996

Responsible Executive:

All Vice-Presidents

Title:

Discrimination and Harassment

Background & Purposes:

Discrimination and harassment, including sexual harassment, can occur between individuals of the same or different status, and both men and women can be the subject of harassment by members of either gender. Discrimination and harassment, including sexual harassment, can involve individuals or groups; can occur during one incident; or over a series of incidents including single incidents, which, in isolation, would not necessarily constitute discrimination or harassment; can be direct or systemic; and can occur on campus or off, during working hours or not.

The impact of behaviour on the complainant subject to the reasonable person test defines the comment or conduct as discrimination and harassment.

This policy is to be interpreted in a way that is consistent with the UBC Calendar statement on academic freedom. Neither this policy in general, nor its definitions in particular, are to be applied in such a way as to detract from the right of faculty, staff, and students to engage in the frank discussion of potentially controversial matters, such as age, race, politics, religion, sex and sexual orientation. These are legitimate topics and no University policy should have the effect of limiting discussion of them or of prohibiting instructional techniques, such as the use of irony, the use of conjecture and refutation, or the assignment of readings that advocate controversial positions, provided that such discussion and instructional techniques are conducted in a mutually respectful and non-coercive manner.

Neither this policy in general, nor its definitions in particular, are to be applied in such a way as to detract from the right and obligation of those in supervisory roles to manage and discipline employees and students subject to managerial and instructional practices.

The fundamental objectives of this University policy are to prevent discrimination and harassment on grounds protected by the B.C. Human Rights Act, and to provide procedures for handling complaints, remedying situations, and imposing discipline when such discrimination and harassment do occur.

In addition, the University has the obligation to ensure that its policy and procedures are fair and are applied fairly. It is therefore necessary to provide an environment in which victims of discrimination and harassment, including sexual harassment, feel free to bring complaints forward. It is equally important that those against whom allegations are made have a full and fair opportunity to meet those allegations.

1. General

- 1.1. The University of British Columbia is committed to providing its employees and students with the best possible environment for working and learning, an environment that allows friendship and collegiality to flourish. Every student and member of faculty and staff at the University of British Columbia has the right to study and work in an environment free from discrimination and harassment, including sexual

harassment. The University therefore does not condone discrimination and harassment, including sexual harassment, of any kind. Indeed, the University regards discrimination and harassment as serious offenses that are subject to a wide range of disciplinary measures, including dismissal or expulsion from the University.

- 1.2. The University and all members of the University community share responsibility for ensuring that the work and study environment at UBC is free from discrimination and harassment. Specifically, Administrative Heads of Unit (see definition) bear the primary responsibility for maintaining a study and work environment free from discrimination and harassment, including sexual harassment; Administrative Heads of Unit are free to act, and should act, on this responsibility, whether or not they are in receipt of individual complaints; and the knowledge and experience of the Equity Office are available to all members of the University community.
- 1.3. This policy addresses discrimination and harassment on grounds protected by the B.C. Human Rights Act.

2. **Definitions**

- 2.1. *Academic freedom* at UBC is defined in the UBC Calendar: “The members of the University enjoy certain rights and privileges essential to the fulfilment of its primary functions: instruction and the pursuit of knowledge. Central among these rights is the freedom, within the law, to pursue what seem to them fruitful avenues of inquiry, to teach and learn unhindered by external or nonacademic constraints, to engage in full and unrestricted consideration of any opinion. This freedom extends not only to the regular members of the University but to all who are invited to participate in its forum. Suppression of this freedom, whether by institutions of the state, the officers of the University or the actions of private individuals, would prevent the University carrying out its primary functions. All members of the University must recognize this fundamental principle and must share responsibility for supporting, safeguarding and preserving this central freedom. Behaviour which obstructs free and full discussion, not only of ideas which are safe and accepted, but of those which may be unpopular or even abhorrent, vitally threatens the integrity of the University’s forum. Such behaviour cannot be tolerated.”
- 2.2. *Administrative head of unit* is Director of a service unit; Head of an academic department; Director of a centre, institute or school; Principal of a college; Dean; Associate Vice President; University Librarian; Registrar; Vice President; or President.
- 2.3. *Discrimination* refers to intentional or unintentional treatment for which there is no *bona fide* and reasonable justification. Such discrimination imposes burdens, obligations, or disadvantages on specific individuals or groups as defined by the British Columbia Human Rights Act (1984, amended 1992). The grounds protected against discrimination by the British Columbia Human Rights Act include age, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, and unrelated criminal convictions. The Act contains a number of exemptions and defenses. For example, the University’s Employment Equity Policy, which has as its object the amelioration of conditions of disadvantage, is exempt from a complaint of discrimination under the Act. Similarly, the Supreme Court of Canada upheld the University’s policy on mandatory retirement, and therefore, it also is exempt under the Act.
- 2.4. *Harassment* refers to physical, visual or verbal behaviour directed against a person for which there is no *bona fide* and reasonable justification. Such behaviour adversely affects specific individuals or groups as defined by the British Columbia Human Rights Act. (see definition of discrimination for a listing of protected grounds.)

- 2.5. *Reasonable person test* refers to an assessment of responsibility that takes into account not only what the complainant and respondent actually experienced, knew, or understood about one another or the situation, but also what a reasonable person in each of their circumstances would or ought to have experienced, known, or understood.
- 2.6. *Sexual harassment* refers to comment or conduct of a sexual nature by a person who knows or ought reasonably to know that the conduct or comment is unwanted or unwelcome. The conduct or comment detrimentally affects the work or study environment or leads to adverse job- or study-related consequences for the victims of harassment.
- 2.7. *Systemic discrimination* refers to policies or practices that appear neutral, but which contain unjustifiable or unreasonable barriers that lead to adverse job- or study-related consequences for members of groups protected by the B.C. Human Rights Act.

PROCEDURES

Approved: January 1995

Revised: September 2001

Pursuant to Policy #1: Administration of Policies, "Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors and are incorporated in the next publication of the UBC Policy and Procedure Handbook."

1. Access to Complaint Procedures

- 1.1. A complaint of discrimination or harassment pertaining to University work, studies, or participation in campus life may be lodged by any member(s) of the University community against other member(s) of the University community and/or the University.
- 1.2. A complaint may be lodged even when there has been apparent acquiescence of the complainant in the conduct or comment in question.
- 1.3. Contractors, their employees and agents, and visitors to the University also are expected to conduct themselves in any University-related activity in a manner consistent with this policy. Allegations of discrimination and harassment, including sexual harassment, against such persons will be dealt with by the University as potential breaches of contract, and/or may result in suspension of University privileges, such as access to the campus.
- 1.4. Although contractors, their employees and agents, and visitors to the University who suffer discrimination or harassment do not have access to these complaint procedures, such individuals are encouraged to consult with an Equity Advisor or express their concerns directly to the Associate Vice President Equity.

2. Complaint Procedures

- 2.1. Complaints of discrimination and harassment, including systemic discrimination and sexual harassment, can be resolved by employing any or all of the following procedures: (2.3) informal resolution, (2.4) mediation, (2.5) investigation and recommendation.
- 2.2. The Equity Advisor or the Administrative Head of Unit (or designate) assists the complainant in clarifying the allegations, and their related consequences, and in considering the applicability of various options, such as an apology from the respondent or reassignment of duties.

2.3. Informal Resolution: Administrative Head of Unit or Equity Office

- 2.3.1. Informal resolution is a resolution to which the complainant consents, and is arrived at with the assistance of an Administrative Head of Unit and/or an Equity Advisor, but without the use of either mediation or investigation. The possible means of achieving informal resolution are numerous. Examples include advice to the complainant, such as referral for counselling or letter to the respondent; investigation by the Administrative Head of Unit; relocation of the complainant and/or the respondent; disciplining the respondent; or referral to other University policies and procedures, such as the policy on student discipline in the UBC Calendar or the Policy on Scholarly Misconduct; or any other appropriate and just measures. Informal resolution can occur without knowledge to anyone other than the complainant and the Administrative Head of Unit, or the Equity Advisor who receives the complaint.

- 2.3.2. In keeping with their administrative responsibilities, Administrative Heads of Unit take disciplinary or remedial action upon informing the individual affected. No informal resolution of a complaint that adversely affects the academic, employment, professional, or other interests of the respondent shall proceed without the consent of the respondent.

2.4. Mediation: Equity Office

- 2.4.1. At any time after a complaint has been received by the Equity Office, the parties can attempt to resolve the complaint through a process of mediation, provided that both parties consent to such a process. The Associate Vice President selects a mediator who is external to UBC and trained in alternate dispute resolution techniques. Appointed mediators and the format of the mediation process are acceptable to both the complainant and the respondent.
- 2.4.2. A mediated settlement arrived at between the complainant and the respondent is written out, signed by the complainant and the respondent, and counter-signed by the mediators. If a potential settlement entails action to be taken by the University, the University becomes a third party to the mediation and also must agree for there to be a settlement.
- 2.4.3. A copy of any agreement reached during mediation is provided to each of the signatories and to the Equity Office, and remains confidential.
- 2.4.4. No person involved in a mediation proceeding shall give evidence or introduce documents from that proceeding during any other subsequent University proceeding where that evidence or those documents would disclose that any person had agreed or refused to agree to mediation or, if mediation occurred, what took place during the mediation.

2.5. Formal Investigation and Recommendation: Equity Office

2.5.1. Request for Investigation and Recommendation

- 2.5.1.1. At any time after the complaint has been made, if the complainant wishes to have the complaint investigated, the complainant has the right to file a written request for investigation and recommendation with the Equity Office. Requests include detailed accounts of the conduct or comment on the part of the respondent that forms the basis of the complaint.
- 2.5.1.2. Within five working days, the Equity Office delivers a copy of a request for investigation to the respondent.
- 2.5.1.3. The respondent has the right to respond to the request in writing, provided such right is exercised within ten working days from receipt of that request. The respondent may acknowledge or deny the validity of the complaint in whole or in part, provide new information, or propose a resolution of the complaint.
- 2.5.1.4. Within five working days from receipt of the respondent's written reply to a request for investigation and recommendation, the Equity Office delivers a copy of that reply to the complainant.
- 2.5.1.5. On receipt of the respondent's written reply, the complainant may accept the reply as full resolution of the complaint, or on the basis of the respondent's written reply, the

complainant may choose to pursue either informal resolution or mediation, in which case an Equity Advisor puts into effect the appropriate procedures.

2.5.2. Investigation

- 2.5.2.1. When informal resolution or mediation has failed to resolve a complaint, the Equity Office informs the respondent's Administrative Head of Unit, and the Associate Vice President Equity assigns an investigator who is external to UBC.
- 2.5.2.2. The purpose of the investigation is to provide information to Administrative Heads of Unit who are charged with making sound managerial decisions about issues under this policy.
- 2.5.2.3. The investigator examines the complainant, the respondent, and such other persons as she or he considers may have information pertaining to the complaint. The investigator re-examines or seeks additional witnesses in order to confirm evidence or explore discrepancies. The investigator prepares a written report that includes a judgment on both the applicability of the policy and the facts of the case, disputed and undisputed.
- 2.5.2.4. Interviews are private and held away from the work areas of those involved.
- 2.5.2.5. The investigator submits the report to a Panel comprised of three people (one of whom is external to UBC) appointed by the Associate Vice President Equity. This Panel meets with the complainant and with the respondent to examine each on the evidence in the investigator's report and on related allegations. At its discretion, but especially in cases of relevant, new information arising that has not been explored with both the complainant and the respondent, the Panel may request supplementary reports from the investigator or a history of any previous discipline from the Associate Vice President, Equity. As well, the Panel may meet with anyone else it deems necessary.
- 2.5.2.6. The Panel formulates recommendations on the following:
 - 2.5.2.6.1. whether the policy applies in the circumstances;
 - 2.5.2.6.2. whether on the balance of probabilities, and with the onus of proof being on the complainant, there has been a violation of the policy;
 - 2.5.2.6.3. whether discipline or remedies are appropriate.
- 2.5.2.7. In the event that the Panel recommends that the complaint be upheld, it may recommend both a form of discipline for the respondent and a remedy for the complainant. It also may recommend any other measures it considers appropriate in the circumstances. Such recommendations are made in writing and supported by reasons.
- 2.5.2.8. In the event that the Panel recommends the complaint be dismissed, it may recommend counselling, support, education, and such other measures as it considers appropriate for the complainant and/or the respondent. It also may recommend such measures as it considers appropriate to restore the complainant's or respondent's unit to effective functioning. Such recommendations are made in writing and supported by reasons.

- 2.5.2.9. In the event that the Panel recommends not only dismissal of the complaint but contemplates finding the complaint to have been made in bad faith, it shall meet with the complainant and provide an opportunity for the complainant to respond prior to making its recommendation. It may recommend both a form of discipline for the complainant and a remedy for the respondent. The Panel also may recommend any other measures it considers appropriate in the circumstances. Such recommendations are made in writing and supported by reasons.
- 2.5.2.10. The Panel distributes its recommendations and reasons to the Associate Vice President Equity, the complainant, the respondent, and Administrative Heads of Unit with authority to receive the recommendation.

2.5.3. Recommendation

- 2.5.3.1. For students, the Administrative Head of Unit with authority to receive the Panel's recommendations is the President; for members of staff, it is the Director or Head of Department; for faculty, the authority may be either the President or the Dean/Head, depending on the nature of the discipline contemplated. The Agreement on Conditions of Appointment states that only the President may discipline a faculty member by dismissal or suspension without pay. The individual receiving the Panel's recommendations meets with the complainant and with the respondent, confers with the Associate Vice President Equity and the appropriate Dean or Vice President, and considers the Panel's recommendations.
- 2.5.3.2. The individual receiving the Panel's recommendations may take such disciplinary and remedial measures as he or she considers appropriate. A written report of measures taken with supporting reasons is distributed to the Associate Vice President Equity, the appropriate Dean or Vice President, the complainant, the respondent, the investigator, and the Panel.

2.5.4. Appeal

- 2.5.4.1. A student who denies that a violation of the policy took place or who disagrees with an imposed penalty has recourse through the Senate Committee on Appeals on Academic Discipline. A member of staff or faculty has recourse through the provisions of the collective agreement or terms and conditions of employment. To the extent provided for in collective agreements, complainants also may have recourse to appeal the decision. As well, the complainant and respondent may have recourse to extra-University processes.

3. Initiation Of Complaint Procedures

- 3.1. While it is possible for anyone to seek anonymously the advice and assistance of an Equity Advisor, only those complaints in which the complainant's identity is disclosed may be taken through the mediation and investigation stages.
- 3.2. Only those complaints lodged within one calendar year of an event, or in the case of a series of events, the last event in a series are processed. The Associate Vice President Equity may grant extensions beyond this one-year limit.
- 3.3. The procedures in this policy can be initiated by persons directly affected (by the conduct or comment that forms the basis of the complaint) or by Administrative Heads of Unit.

3.3.1. Initiation of Procedures by Persons Directly Affected

- 3.3.1.1. Persons directly affected by the conduct or comment that forms the basis of the complaint may lodge the complaint with either an Administrative Head of Unit or with an Equity Advisor.
- 3.3.1.2. At any time, complainants may choose to withdraw from these complaint proceedings. Nevertheless, the University's legal responsibility to provide an environment free from discrimination and harassment, including sexual harassment, may obligate the University to proceed in the absence of a complaint from the persons directly affected. In such cases, the Administrative Head of Unit and the Equity Advisor decide whether to proceed, taking into account the need for protection against retaliation on the part of witnesses and the need for due process on the part of respondents.

3.3.1.3. Response of Administrative Heads of Unit

- 3.3.1.3.1. Administrative Heads of Unit deal immediately with allegations of discrimination and harassment, including sexual harassment, by investigating, by applying University policies or procedures, by attempting to effect an informal resolution, and by taking preventive, interim, disciplinary and/or remedial measures including when appropriate, ordering the behaviour to stop.
- 3.3.1.3.2. In responding to complaints of discrimination or harassment, including sexual harassment, Administrative Heads of Unit are encouraged to seek the assistance of the Equity Office.
- 3.3.1.3.3. If at any time, the complainant is dissatisfied with the actions taken by an Administrative Head of Unit, the complainant can lodge the same complaint with an Equity Advisor or extra-University agencies.

3.3.1.4. Response of Equity Advisors

- 3.3.1.4.1. The Equity Advisor provides the complainant with a copy of this policy and explains available options. In addition, with the consent of the complainant, the Equity Advisor attempts to effect an informal resolution of the complaint. As well, the Equity Advisor recommends to the Administrative Head of Unit measures to protect the safety, academic, and other interests of the complainant pending resolution of the complaint.
- 3.3.1.4.2. If the complaint cannot be resolved informally, and the complainant wishes to access mediation or to make a written request for investigation and recommendation, the Equity Advisor assists the complainant in so doing.

3.3.2. Initiation of Procedures by Administrative Heads of Unit

- 3.3.2.1. Administrative Heads of Unit may lodge complaints with an Equity Advisor to resolve allegations of discrimination or harassment, including sexual harassment. An Administrative Head of Unit who lodges a complaint is identified as the complainant, and the persons directly affected by the conduct or comment that forms the basis of the complaint may be called upon as witnesses in any subsequent investigation.

- 3.3.2.2. When an Administrative Head of Unit becomes a complainant, she or he surrenders any rights or responsibilities assigned to administrators by these procedures. The individual to whom this complainant reports assumes the latter's rights and responsibilities. Any disputes that arise over the applicability of any of the procedures shall be referred to the Associate Vice President Equity, whose decision shall be final.
- 3.3.2.3. If an Administrative Head of Unit lodges a complaint with an Equity Advisor, and the Equity Advisor believes that these complaint procedures apply, the Advisor, in consultation with the complainant, considers the appropriateness of an informal resolution of the complaint, and where appropriate, follows the procedures provided for informal resolution or mediation; advises and assists the complainant in taking necessary measures to protect the interests of those directly affected by the complaint; and if the complaint cannot be resolved informally or by mediation, and the complainant wishes to make a written request for investigation and recommendation, assists him or her in so doing.
- 3.3.2.4. If the Equity Advisor believes that these complaint procedures do not apply, the Advisor explains to the Administrative Head of Unit why this policy has no application and refers him or her to another University office or extra-University agencies.
- 3.3.2.5. Where the identity of the persons responsible for acts of harassment is unknown to the Administrative Head of Unit, the Associate Vice President Equity arranges an investigation and notifies appropriate authorities both inside and outside the University. In addition, the Administrative Head of Unit, in consultation with the Associate Vice President Equity, arranges for measures intended to restore the unit to effective functioning.

4. General Provisions

4.1. Right of Parties to Support and Assistance

- 4.1.1. The complainant and respondent are at all times during these procedures entitled to have a representative present.
- 4.1.2. The complainant is entitled to the support and assistance of an Equity Advisor.
- 4.1.3. The respondent is entitled to the support and assistance of an advisor external to UBC who is appointed by the Associate Vice President Equity.
- 4.1.4. Members of unions and employee associations have all rights to representation that their collective agreements confer.

4.2. Participation in the Process

- 4.2.1. To ensure due process, both complainant and respondent are expected to participate and provide evidence in a timely manner. In cases where either the complainant or respondent does not participate or provide evidence within a reasonable time, the investigation and recommendation process nevertheless may proceed.
- 4.2.2. Any person whose willful actions or inactions obstruct the application of these procedures or who willfully breaks an undertaking or agreement shall be subject to discipline.

4.3. Retaliation

- 4.3.1. No one shall suffer reprisal for refusing to violate this policy or for bringing forward, in good faith, a complaint or concern about discrimination or harassment, including sexual harassment. The University considers retaliation or the threat of retaliation at any stage to be a serious offense because it prevents potential complainants, witnesses, and administrators from acting on their concerns.
- 4.3.2. All persons involved in these procedures shall report threats and other safety concerns immediately to the Equity Office and relevant administrators.
- 4.3.3. Administrative Heads of Unit deal immediately with allegations of retaliation by investigating, and when appropriate, ordering the behaviour to stop, and taking preventive, interim, disciplinary and/or remedial measures.
- 4.3.4. In its deliberations and recommendations, the Panel shall consider any allegations of retaliation.

4.4. Confidentiality

- 4.4.1. All members of the University community involved in a case are expected to maintain confidentiality, particularly within the work or study area in question and in shared professional or social circles. These members include Equity Advisors, support staff, Administrative Heads of Unit, and witnesses, as well as the respondent and the complainant. Although at times difficult to avoid, the breach of confidentiality undermines the provision of due process, and thus proves a disservice to both the complainant and the respondent.
- 4.4.2. Confidentiality is not the same as anonymity: For a complaint to go forward to mediation or investigation and recommendation, the identity of the complainant and the details of the complaint must be released to the Equity Advisor, the respondent, and those involved in the application of these procedures.
- 4.4.3. Subject to the policy on confidential files (to be approved), terms of confidentiality, including the need to disclose information that restores a unit to effective functioning, may be agreed on in informal or mediation agreements between the complainant(s) and respondent(s), or recommended by the Panel, or ruled on by the Administrative Head of Unit.
- 4.4.4. The University, through the Associate Vice President Equity, may take necessary steps to ensure the health, safety, and security of any member of the University community.
- 4.4.5. For educational purposes, the Equity Office may discuss specific cases and their resolutions without identifiers.
- 4.4.6. Confidentiality may not apply to persons subject to extra-University judicial processes.

4.5. Use of Documents

- 4.5.1. Documents are used only for the purpose for which they were created and are retained by the Equity Office. Access to Equity Office files is restricted to current members of the Equity Office staff. In cases involving repeat complaints or security and safety issues, a University Vice President may review Equity Office files.

4.5.2. Documents may be required by law to be released to extra-University processes.

4.6. Multiple Proceedings

4.6.1. A complaint under this policy may also be pursued in extra-University processes.

4.6.2. The fact that a complaint is being pursued under these procedures does not preclude the complainant from pursuing an extra-University process.

4.6.3. Where two or more complaints have been lodged against the same respondent, these complaints may be dealt with by a single Panel. Similarly, where complaints are brought by a respondent against a complainant, these complaints may be dealt with by a single Panel.

4.7. Conflict of Interest

4.7.1. Members of the University community are governed by the terms of the University Conflict of Interest Policy. Individuals in an intimate or sexual relationship with a person in a subordinate position shall disclose the relationship to the Administrative Head of Unit and shall cooperate with those measures the Administrative Head of Unit considers appropriate to avoid conflict of interest in matters such as supervision and evaluation.

4.7.2. When power differentials exist amongst or between faculty, staff, and students, those holding positions of authority shall not abuse, nor seem to abuse, the power with which they are entrusted. Such relationships include, but are not limited to, those between a coach, an academic advisor, an instructor/professor, a counsellor, a residence advisor, a tutor, a thesis/practicum supervisor, a research head, or a director and his or her subordinate, junior colleague, or student. Anyone who enters into a sexual relationship with a person where a professional power differential exists must realize that, if a charge of sexual harassment is subsequently lodged, it will be extremely difficult to defend the conduct on grounds of mutual consent.

4.7.3. An inappropriate sexual relationship may create a negative work or study environment for others and give rise to a complaint under this policy.

4.8. Interim Solutions

4.8.1. The complainant, respondent, or unit may require immediate measures to preserve safety, morale, or efficiency while a situation is being resolved, investigated, or decided. Such measures, whether carried out by the Administrative Head of Unit or by the Equity Advisor, should not be viewed as judgment of the credibility of the complainant or respondent, who may appeal such measures with the Associate Vice President Equity. His or her decision is final, subject to the provisions of collective agreements.

4.9. Remedy Options

4.9.1. Once a case has been decided, the complainant or the respondent may request measures be taken to correct damage done to her or his career development, academic record, physical or emotional health, reputation, or finances. Arrangements are negotiated with the appropriate University officer.

4.10. Discipline Options

- 4.10.1. Discipline is appropriate to the offense and relevant circumstances of the case, and is applied after an admission or judgment of wrongdoing. Considerations in determining discipline include, but are not limited to, work history, previous discipline, past cases, respondent's acknowledgment of wrong, relationship of parties, degree of aggression and physical contact, number of events, impact on the complainant, and intent of the respondent.

4.11. Stay or Termination of Proceedings

- 4.11.1. The Associate Vice President Equity, following consultation with the Associate Vice President Academic and Legal Affairs, may stay or terminate UBC's formal investigation and recommendation proceedings.

4.12. Options Available Outside the University

- 4.12.1. Nothing in this policy shall be construed to remove any rights of appeal or rights to grieve that members of the University community have independent of this policy, or to remove any rights to take action against the University or members of the University community in other processes within or without the University.

4.13. Concerns and Complaints about Procedures

- 4.13.1. General or specific complaints about the application of these procedures may be addressed to the Associate Vice President Equity.

5. The Equity Office

5.1. The Equity Office has responsibility for

- 5.1.1. providing advice and assistance to Administrative Heads of Unit and others seeking direction in the handling of cases;
- 5.1.2. advising and assisting those who bring forward complaints during all stages of the procedures, including the initiation of a complaint, as well as the undertaking of informal resolution, and arranging for mediation or investigation;
- 5.1.3. ensuring that the policy and procedures in this document have been appropriately and effectively implemented;
- 5.1.4. providing information and advice on the complaint process and limitations to confidentiality to any member of the University community;
- 5.1.5. providing education to individuals and departments on the prevention and remediation of discrimination and harassment, including sexual harassment;
- 5.1.6. publishing annually in UBC Reports statistical and summary reports on the number of complaints made, types of complaints, outcomes, educational activities, and an evaluation of this policy and its procedures.

6. President's Advisory Committee on Equity, Discrimination and Harassment

- 6.1. The Associate Vice President Equity makes recommendations for membership on the President's Advisory Committee on Equity, Discrimination and Harassment. This membership reflects the diversity of the University community.
- 6.2. This Committee advises and assists the Associate Vice President Equity in creating and implementing educational programs designed to facilitate the promotion of employment and educational equity as well as the elimination of discrimination and harassment. In addition, this Committee advises and assists the Associate Vice President Equity in the evaluation of University equity policies and Equity Office services and procedures.

7. Definitions

- 7.1. *Contractors* include vendors of goods and services to the University, volunteers, homestay families, persons in the community guiding practicum and internship placements, and others with similar connections to the University.
- 7.2. *Member of the University community* is a student, a member of faculty, or a member of staff.
- 7.3. *Written request for investigation and recommendation* under these procedures means a written complaint by an individual or group that he/she/they have been discriminated against or harassed including sexually harassed; or that there has been retaliation for consulting with an Equity Advisor or for participating in proceedings under this policy; or that there has been a breach of an undertaking as to future conduct. A written request must identify the protected ground under the B.C. Human Rights Act that is the basis of the complaint and provide sufficient detail for an investigation.