

Harassment and Discrimination Policy

Policy Type: Corporate

Policy Owner: Vice President, Human Resources, Student Services, and International

Approval Date: January 17, 2025

Effective Date: January 31, 2025

Replaces: None

Initial Year of Issue: January 31, 2025

Corresponding Procedure:

[Harassment and Discrimination Reporting Operating Procedure](#)

Purpose

All members of Cambrian College ("the College") have a right to participate, work and study in a safe environment free from harassment and discrimination. This policy and its related procedure set out how the College addresses harassment, discrimination, racism, and hate. It ensures that the College has a process of investigation that protects the rights of individuals and holds individuals who have committed acts of harassment, discrimination, racism, and/or hate accountable.

Scope

This policy applies to:

1. All members of the College, including all employees, governors, students, contractors, and suppliers of services, individuals who are directly connected to any college initiatives, volunteers, and visitors.
2. All college-related activities or processes that take place, virtually or otherwise.

Definitions

Anti-black racism: refers to prejudice, attitudes, beliefs, stereotyping, and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement and its legacy. It is deeply entrenched in Canadian institutions,

policies, and practices, to the extent that anti-Black racism is either functionally normalized or rendered invisible to the larger White society. Anti-Black racism is manifest in the current social, economic, and political marginalization of African Canadians, which includes unequal opportunities, lower socio-economic status, higher unemployment, significant poverty rates, and overrepresentation in the criminal justice system.

Anti-Indigenous racism: the race-based discrimination, negative stereotyping, and injustice experienced by Indigenous Peoples within Canada. It includes ideas and practices that establish, maintain, and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada. Systemic anti-Indigenous racism is evident in discriminatory federal policies such as the Indian Act and the residential school system. It is also manifest in the overrepresentation of Indigenous peoples in provincial criminal justice and child welfare systems, as well as inequitable outcomes in education, well-being, and health. Individual lived-experiences of anti-Indigenous racism can be seen in the rise in acts of hostility and violence directed at Indigenous people.

Antisemitism: latent or overt hostility, or hatred directed towards, or discrimination against, individual Jewish people or the Jewish people for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage.

Complaint: means an oral or written statement of dissatisfaction with a college service, employee or student's teaching and learning experience in provision of services of the College.

Complainant: the person(s) who brings forward a violation of this Policy. Note: The use of "complainant" is the accepted terminology as per the Ontario Human Rights Commission.

Discrimination: as defined by the Human Rights Commission, means any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. Discrimination may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices, or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy.

Discrimination and/or harassment on the grounds articulated in the Ontario Human Rights Code include but are not limited to:

- Age
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Gender identity
- Gender expression
- Family status (such as being in a parent-child relationship)
- Marital status (including married, single, widowed, divorced, separated, or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)
- Disability (including mental, physical, developmental, or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)

Harassment: means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy. Harassment can occur based on any of the grounds of discrimination. Examples of harassment include:

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground.
- Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means.
- Singling out a person for humiliating or demeaning "teasing" or jokes because they are a member of a Code-protected group.

- Comments ridiculing a person because of characteristics that are related to a ground of discrimination. For example, this could include comments about a person's dress, speech or other practices that may be related to their sex, race, gender identity or creed.

Islamophobia: refers to racism, stereotypes, prejudice, fear, or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic, and societal level.

Poisoned environment: a form of discrimination created by the comments or actions of a person or group. The comments or conduct do not have to be directed at a particular individual, e.g. jokes or derogatory statements made about older persons in the workplace.

Racism: includes ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

Systemic discrimination: can be described as patterns of behaviour, policies, or practices that are part of the structures of an organization, and which create or perpetuate disadvantage for racialized persons.

Policy Statements

1. All members of the College community have the right to study or work in an environment that is safe, secure and supportive, and free of harassment, discrimination, racism and hate.
2. The College believes that harassment and discrimination at or about one or more individuals or groups, including those that create a poisoned environment are unacceptable and will not be tolerated.
3. The College is committed to addressing all forms of racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia. Such behaviours have no place in our community and will not be tolerated.

4. The College will take proactive measures to prevent harassment, discrimination, racism, and hate, respond effectively to incidents, and ensure accountability through appropriate actions, including education and policy enforcement.
5. All reported incidents and complaints of harassment, discrimination, racism, and hate involving students and employees will be investigated and responded to in a manner that ensures due process and expediency. It is this policy's intention that members of the College feel comfortable about making a report in good faith about harassment and discrimination that they have experienced or witnessed and receive support.
6. Complaints of harassment, discrimination, racism, and/or hate are to be reported as per the Harassment and Discrimination Reporting Operating Procedure. When allegations of sexual harassment are presented, there may be circumstances where the allegations in a complaint necessitate following the procedures under both this policy and the [Sexual Assault and Sexual Violence Policy](#).
7. The College will reference the [Ontario Human Rights Commission's \(OHRC\) Policy on Competing Rights](#) as a guiding document when reviewing incidents where individuals' rights appear to be in conflict, ensuring all decisions reflect recognized principles and best practices.
8. All incidents or complaints of harassment, discrimination, racism, and/or hate, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect members of the College community, to investigate the complaint or incident, to take corrective action or otherwise as required by law.
9. Complaints that remain unresolved may be referred to the [Ontario Ombudsman](#), where applicable. Existing disciplinary measures will apply to those whose actions are contrary to the policy.
10. College members are subject to corrective action from the College as per existing policies and procedures.

11. Cambrian College is dedicated to creating a culture which promotes equality, diversity, and inclusion, and respect for human rights. These values guide our proactive approach to preventing harassment, discrimination, racism and hate, which includes, but is not limited to ongoing professional learning, listening and responding, and developing resources, messaging, and learning opportunities based on identified needs through surveys, concerns, and current climate.
12. The College upholds a fundamental commitment to freedom of expression for all its members. Nothing in this policy is meant to prevent persons from respectfully expressing their views while adhering to the law, and related College policies. In exercising those freedoms, all its members are required to respect the rights and freedoms of others, including the right to freedom from harassment and discrimination.
13. The College will proactively monitor and assess potential indicators of systemic discrimination through regular policy reviews, data analysis, and college member engagement, and is committed to responding promptly, investigating thoroughly, and remedying any claims of harassment, discrimination, racism and/or hate in a timely, effective, and proportionate manner.
14. These policy statements are aligned with other Cambrian College policies, all of which shall be read in harmony.

Annual Reporting

1. Every year, the College will prepare and present a report to the Board of Governors on the implementation and effectiveness of this policy at their December meeting.
2. The report will protect the privacy of individuals and include but is not limited to the following:
 - a. The number and type of complaints reported by students and employees including a general description/categorization of the complaints (e.g. verbal, physical, property), including the number of complaints that do not proceed to a review.

- b. The associated Code group (e.g. ethnicity, race, religion, sexual orientation) and the sub-category (e.g. anti-Black racism, anti-Indigenous racism, antisemitism and Islamophobia) as applicable.
 - c. Outcomes of these incidents, including response and resolution timelines (e.g. the number of months to resolve a complaint), findings of investigations, disciplinary measures taken, and any involvement of law enforcement.
 - d. Explanation for cases where the 12-month timeframe to provide the institutional decision and response was not met due to extenuating circumstances.
3. The College report will be submitted to the Minister of Colleges and Universities by January 31st of each year and be made available on the College's website.

Responsibilities and Accountabilities

Vice President, Human Resources, Student Services and International is responsible for:

- Ensuring the development, review and implementation of this policy and related procedure.
- Ensuring compliance with this policy and procedure.
- Preparing an annual report on the implementation and effectiveness of this policy and presenting it to the College's Board of Governors.

Director, Human Resources is responsible for:

- Investigating complaints and concerns involving employees.
- Providing education, training and support to college employees.

Manager of Equity, Diversity and Inclusion is responsible for:

- Receiving and Investigating student complaints and concerns while providing them with support and resources.
- Reviewing and updating this policy and related procedure.
- Providing guidance to college members on the interpretation of this policy and related procedure.

College Administrators are responsible for:

- Adhering to this policy and related procedure.
- Reporting incidents of harassment and/or discrimination.
- Participating in the investigation process as required.

Employees and Students are responsible for:

- Being familiar and complying with this policy and related procedure.
- Reporting incidents of discrimination and/or harassment, as noted in the Harassment and Discrimination Reporting Operating Procedure.

Campus Security is responsible for:

- Responding accordingly to complaints of discrimination and/or harassment, while adhering to related College policies.
- Offering support and resources to the witness or complainant.

Procedures/Forms

- [Harassment and Discrimination Reporting Operating Procedure](#)
- [File a Complaint or Report an Incident](#)

Related Policies

- [Code of Conduct Policy](#)
- [Free Speech Policy](#)
- [Sexual Assault and Sexual Violence Policy](#)
- [Student Rights and Responsibilities Policy](#)
- [Workplace Violence Prevention Policy](#)

References

- [Ontario Human Rights Code](#)