

# Harassment & Discrimination Prevention and Response Policy and Procedures

## - Questions and Answers -

### 1. Why does the university need a policy about harassment and discrimination?

Queen's is committed to ensuring its environment is free from harassment and discrimination. These will not be tolerated at the university. A policy that clearly outlines what this behaviour is, and how it will be dealt with, is a crucial part of this commitment.

Queen's existing policies on these issues are old and outdated. The university's Senate passed a policy 20 years ago and in 2016 Queen's Human Resources put the Interim Workplace Harassment and Discrimination Policy in place in compliance with the *Occupational Health and Safety Act*. After some experience with both policies in place, the university identified that the Senate policy and the Workplace policy had overlap as well as gaps.

It is time for an updated comprehensive policy that links with other Queen's policies and fits with the university's commitment to address harassment and discrimination in the university's environment.

### 2. Who developed this new policy and procedures?

A Working Group put together in 2018 has spent over two years reviewing best practices, engaging in broad consultation, and discussing its legal obligations with an external law firm. The Working Group itself is made up of 24 faculty, staff, and student members from across the campus, all of whom have worked to ensure the policy and procedures are inclusive and reflect best practices in the university sector.

### 3. What are harassment and discrimination?

We all have an idea of what these terms mean; however, for the purposes of the policy and procedures, they mean very specific things.

*Harassment* is when someone says or does something that is unwarranted that will annoy or cause difficulties that they know, or should know, is unwelcome by the person or group it is directed toward.

*Discrimination* is when someone, or a group of people, are treated differently than others based on certain characteristics, that results in them experiencing burdens, obligations, or disadvantages, or not having access to opportunities, benefits, or advantages available to others. The characteristics of those experiencing discrimination may relate to their race, religion, sexual identity, gender, place of origin, age, marital status, and several other grounds protected by [Ontario's Human Rights Code](#).

More information on the words used in the draft policy and procedures, and what they mean, can be found in the Glossary of Terms on page 10 of the [draft policy](#).

### 4. When will the draft policy and procedures be approved?

If the consultation, review, and approvals processes stick to the planned timeline, the university's [Board of Trustees](#) will receive the draft policy and procedures for its review and approval in early May 2021. A more detailed timeline can be found on the University Secretariat [website](#).

## **5. What should I do if I want to make a complaint of harassment and/or discrimination using this new policy?**

When the new policy and procedures are approved in 2021, anyone who wants to make a complaint about harassment or discrimination they have experienced will complete a short form that is submitted to the University Secretary. The complaint will be streamed through the university's intake process as described in the [draft procedure](#) related to making a complaint.

## **6. What do I do if I see someone being harassed or discriminated against, and I want to tell someone who can do something about it?**

Once the policy and procedures are approved, and you want to make a report about harassment and/or discrimination you have seen but not personally experienced, you will file a report – it is a short form that is submitted to the University Secretary. This report will be streamed through the university's intake process as described in the [draft procedure](#) related to making a report.

## **7. If I make a complaint or file a report, who finds out about it? Can it be anonymous or kept confidential?**

Complaints and reports are kept confidential to those people who need to see and review them in order to assess and investigate them

But, complaints cannot be made anonymously. This is because the processes used to address harassment or discrimination require investigations, including an opportunity for an individual accused of harassment or discrimination to fully respond to the allegations. The law requires that the identity of the complainant be known to them.

Anonymous reporting creates challenges, because the act of reporting could, itself, be used as a form of harassment if reports are not made in good faith. Also, for Persons of Authority who have a duty to report under the law, a record of having made this report will be important. In some circumstances, it may be possible to hold the identity of a reporter in confidence if they have no direct evidence and are not a witness to harassment or discrimination. But reports need to be detailed enough to allow them to be assessed and investigated. Anonymous reporting can limit what the university is actually able to do by way of investigation and response.

## **8. How can I share my thoughts on the draft policy and procedures?**

All Queen's community members are invited to share their feedback on the drafts posted on the University Secretariat [website](#). You can complete an [online feedback form](#) or send an email with your thoughts to [univsec@queensu.ca](mailto:univsec@queensu.ca). All of the feedback received will be reviewed by the Working Group and a further draft of all three policy and procedure documents will be shared with the community in late February/early March.