
Title:	Harassment, Discrimination and Violence Prevention Policy
Type:	Administrative
Policy #:	HR 100-06
Effective Date:	September 2007
Approved By:	Board of Governors, August 15, 2007
Last Revision:	March 10, 2021
Next Review:	March 2026

1. Purpose and Intent

Centennial College (the “College”) is committed to creating a safe, healthy, respectful, and inclusive learning, working, and living environment. All College community members have the right to work, study, and live in an environment that is free from all forms of harassment, discrimination, and violence as defined by this Policy and the law. All College community members have a right to equitable treatment and opportunity in accordance with the Ontario *Human Rights Code* and a safe environment that restricts and addresses violence under the *Occupational Health and Safety Act*.

2. Scope and Application

- 2.1 This Policy addresses harassment, discrimination, and violence within the College environment, recognizing that such conduct is offensive, degrading, harmful, and/or threatening and that it fosters a hostile, unsafe, or unfair environment.
- 2.2 This Policy applies to incidents involving members of the College community including students, employees, members of the Centennial College Student Association, Inc. (CCSAI) staff and Board of Directors, members of the Board of Governors, contractors, service suppliers, individuals directly connected to any College initiatives, volunteers, applicants, and visitors.
- 2.3 This Policy applies to incidents of harassment, discrimination and/or violence involving members of the College community both on and off College property including
 - 2.3.1 Incidents which occur on College property within the physical boundaries of the College, including the College residence.
 - 2.3.2 Incidents which occur in any area involving College owned or controlled property, including College vehicles or equipment rented, owned, or operated by the College.
 - 2.3.3 Incidents which occur using the College’s information technology services and infrastructure.
 - 2.3.4 Incidents which occur over the internet that are directed at College community members.

- 2.3.5 Incidents which occur off campus at College events, learning activities, or professional development opportunities within Canada and internationally. It is understood, however, that in respect to activities that do not take place on campus, the Policy covers incidents that involve persons covered by the Policy and has limited, if any, application to persons who are not covered by the Policy and are, therefore, beyond the reach of the Policy.
- 2.3.6 Incidents off campus which may adversely affect the safety or well-being of any College community member or incidents where an individual presents themselves as a representative of the College. This includes acts of violence, including domestic violence, which may pose a safety risk to any College community member.
- 2.4 Incidents involving students which do not relate to harassment, discrimination, and/or violence shall be addressed under the Student Code of Conduct Policy and the Student Code of Conduct - Complaint Procedures, and the Disruptive Student Behaviour in the Classroom or Learning Environment Policy.
- 2.5 Allegations of sexual harassment, sexual assault and/or sexual violence shall be addressed under the Sexual Violence Policy and Procedures.

3. Definitions and Examples

- 3.1 **Bona Fide Requirement** is a requirement that is necessary for the performance of a job. It must be essential to the performance of the task and its absence must be impossible for the employer to accommodate without undue hardship.
- 3.2 **Complainant** is the individual(s) initiating a complaint under this Policy.
- 3.3 **Complaint** is when a complainant of harassment, discrimination, and/or violence requests to formally investigate an incident of harassment, discrimination, and/or violence and produce findings to be used in determining a resolution.
- 3.4 **Contractor** is an individual who is in business for themselves and is contracted by the College to provide work or a service.
- 3.5 **Discrimination** is a difference in treatment and opportunity, be it unfavorable or preferential, to individuals or groups, based on a prohibited ground of discrimination. Discrimination may take the form of imposing extra burdens or denying benefits. Examples of discrimination include, but are not limited to, refusal to provide goods, services or facilities, exclusion from employment opportunities or employment benefits, refusal to work with, teach, or study with someone and/or failure to provide physical access because of a prohibited ground of discrimination. Discrimination may be direct (an act or decision based on a prohibited ground of discrimination) or constructive (an act which appears neutral but has an adverse impact upon a person or group associated with a prohibited ground of discrimination). Discrimination may also be overt or subtle. Regardless of the type or tone of discrimination, all discrimination on a prohibited ground is unacceptable and contrary to this Policy.

- 3.6 **Disclosure** is when someone affected by harassment, discrimination, and/or violence informs a College community member of an incident of harassment, discrimination and/or violence on or off campus
- 3.7 **Employees** include persons who are on the College's payroll and work for or provide services to the College on a permanent, contract, full-time, or part-time basis, whether unionized (belonging to a bargaining unit) or not, including administration, faculty, and staff.
- 3.8 **Harassment** is engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome, offensive, intimidating, hostile, or inappropriate. This definition includes harassment which is based on a prohibited ground. However, the comment or conduct need not be tied to a prohibited ground in order to constitute harassment.

Harassment typically involves more than one incident however, depending on the severity, one incident may be sufficient to constitute harassment. Harassing conduct may occur in a variety of ways including, but not limited to, verbal, written, in-person, or online conduct or via third parties.

Forms of harassment include, but are not limited to, criminal harassment or negative or poisoned environment. Examples of harassment include, but are not limited to, bullying behaviours, gestures, demeaning behaviours, inappropriate remarks, jokes, taunting, innuendo, verbal assault, images or photos that depict inappropriate content, as well as hazing, shunning, or exclusion.

Appropriate civil and constructive feedback provided to College community members regarding performance is not harassment.

The College upholds freedom of expression and association. All College community members are required to exercise those rights in a way that does not contribute to harassment, discrimination, and/or violence.

- 3.9 **Other Community Members** include persons with a relationship to the College who are not affiliated with the College as either a student or an employee. This includes contractors, visitors/guests, and members of the Board of Governors.
- 3.10 **Prohibited Grounds** are defined in the Ontario Human Rights Code, as may be amended from time to time. Prohibited grounds include
- Race;
 - Ancestry;
 - Place of Origin;
 - Colour;
 - Ethnic Origin;
 - Citizenship;
 - Creed;
 - Sex (including pregnancy or the possibility that someone may become pregnant and breastfeeding);

- Sexual Orientation;
- Gender Identity;
- Gender Expression;
- Age;
- Marital Status (including single status);
- Family Status;
- Disability (or that a person is believed to have or to have had a disability);
- Receipt of Public Assistance (in housing only); and
- Record of Offences (with respect to employment only).

3.11 **Reprisal or Retaliation** is any harassment, intimidation, discipline, demotion, or termination or threat to do so with the intent to compel a College community member to abstain from filing a complaint, disclosing, or reporting an incident of harassment, discrimination, or violence, or to retaliate against a College community member who has filed a complaint, disclosed, or reported such an incident or who is suspected of doing so.

3.12 **Respondent** is the individual(s) alleged to have breached this Policy.

3.13 **Student** is an individual who is enrolled, formerly enrolled, or registered in either a full-time or part-time course, either credit or non-credit, at the College, including when on a work placement that is part of their academic program, or when active in a program but not currently enrolled in classes.

This also includes an individual who was enrolled in a course or program when an alleged incident occurred. In this case, the individual is deemed a student for the purpose of the investigation until the complaint and appeal processes have been completed.

3.14 **Vexatious or Bad Faith Complaint** is a complaint in which a complainant makes allegations to purposely annoy, embarrass, or harm the respondent.

3.15 **Violence** is an attempt or actual exercise of physical force that causes or could cause personal injury. Violence also includes a statement or behaviour that could reasonably be interpreted as a threat to exercise physical force against another person that could cause physical injury. Violence may occur in a variety of ways including, but not limited to, verbal, written, in-person, or online conduct or via third parties.

Examples of violence include, but are not limited to, hitting, shoving, or striking another person or object, verbal or written threats, intimidating and/or threatening gestures, and throwing objects.

3.16 **Weapons** are implements or tools designed for or used to inflict bodily harm or physical damage. Examples of weapons include, but are not limited to, firearms and knives.

4. Policy

4.1 The College shall respond to incidents of harassment, discrimination, and/or violence which are brought to its attention. The College will not tolerate, ignore, condone or excuse harassment, discrimination, and/or violence.

- 4.2 All reported incidents of harassment, discrimination, and/or violence shall be investigated in a manner that ensures due process as per the related Harassment, Discrimination and Violence Prevention Procedures and the Violence and Criminal Incident Response Procedures. This Policy is intended to make individuals feel comfortable making a report in good faith of harassment, discrimination, and/or violence that they have experienced or witnessed.
- 4.3 Weapons are strictly prohibited on College property and at College events that may occur on campus or off campus.
- 4.4 The College shall take all reasonable steps to ensure awareness and education of the rights and responsibilities under this Policy and shall be proactive in undertaking training in relation to its provisions as appropriate.
- 4.5 Complaints under this Policy shall be made under the provisions of the following procedures, as applicable:
 - 4.5.1 Harassment, Discrimination and Violence Prevention Procedures – Complaints Against Employees;
 - 4.5.2 Harassment, Discrimination and Violence Prevention Procedures – Complaints Against Students; and
 - 4.5.3 Harassment, Discrimination and Violence Prevention Procedures –Complaints Against Other College Community Members.

5. Responsibilities

- 5.1 The College is responsible for taking steps to create an environment free of harassment, discrimination, and violence.
- 5.2 The College is responsible for the costs of administering this Policy. This includes costs associated with processing complaints and arranging mediation and investigation services.
- 5.3 This Policy is intended to create an expeditious internal process for dealing with complaints of harassment, discrimination, and violence. Accordingly, participants in this process are required to personally participate and may not be represented by third parties, be they lawyers, paralegals, or other professionals. The College is not responsible for any legal costs incurred by the complainant, respondent, or any witnesses in connection with a complaint or investigation under this Policy.
- 5.4 Aside from the general responsibilities outlined in Section 5.5 of this Policy, additional responsibilities of particular individuals and departments under this Policy are indicated in the related complaints procedures specified in Section 4.5.
- 5.5 All College community members have the following responsibilities:
 - 5.5.1 Create a safe, inclusive, healthy, and respectful environment that is free from

harassment, discrimination, and violence.

- 5.5.2 Immediately report incidents of harassment, discrimination, and/or violence they witness or have knowledge of, or have reason to believe has occurred or may occur, and participate fully in any resulting investigation. Members who have experienced violence are encouraged to come forward to report as soon as they are able to do so.
- 5.5.3 Immediately report the existence of a weapon on College property or at a College event to Campus Security.
- 5.5.4 Attend training on harassment, discrimination, and violence as required by the College.
- 5.6 Students are encouraged to immediately report all perceived and real instances of harassment, discrimination, and violence.
- 5.7 Persons in a position of authority, including persons directing or overseeing the activities of others, have the following responsibilities:
 - 5.7.1 Take immediate action to respond to or to prevent harassment, discrimination, and violence from occurring; immediately report all perceived or real instances of harassment, discrimination and violence to Campus Security.
 - 5.7.2 Encourage College community members to report all incidents of harassment, discrimination, and violence and to assist with any resulting investigation.
 - 5.7.3 Record cases, the circumstances, and outcomes, and report the data centrally with guidance from Labour Relations/Student Experience Office.
 - 5.7.4 Ensure that contractors are trained in harassment, discrimination, and violence prevention.
- 5.8 Training
 - 5.8.1 Training for Students

The Student Experience Office (SEO), in conjunction Human Resources (HR) Department, is responsible for educating students about this Policy and any related procedures. This includes maintaining records regarding training initiatives.
 - 5.8.2 Training for Employees

Human Resources is responsible for developing training initiatives for College employees. Global Citizenship Equity and Inclusion is responsible for collaborating with Human Resources, SEO and HR in developing training and education initiatives for College community members. The Centre for Organizational Learning and Teaching (COLT) is responsible for supporting the facilitation of such

training. COLT shall also maintain records of employee participation and provide records to managers.

Managers must ensure that employees under their supervision complete training on this Policy.

6. Reporting and Responding to Incidents of Harassment, Discrimination, and Violence

6.1 Reports of incidents of harassment, discrimination, and violence shall be made under the provisions of the Procedures related to this Policy as indicated in Section 4.5.

6.2 All College community members shall immediately report incidents of sexual violence, as per the College's Sexual Violence Policy and Procedures.

6.3 Procedural Fairness

Investigators and other decision-makers responding to complaints under this Policy must adhere to the principles of procedural fairness, which includes being knowledgeable about the relevant policy and procedures, providing parties with a reasonable opportunity to be heard, ensuring the respondent is informed of the allegations, only considering relevant evidence, and informing the complainant and respondent of the conclusion of the investigation, including relevant appeal options.

6.4 Confidentiality

All parties will be expected to adhere to the confidentiality requirements of the investigation process as directed by the investigator, including refraining from actions such as gossip, hearsay, and innuendo. If the complainant, the respondent, or witnesses have concerns about confidentiality, they should raise this with the investigator.

To protect the interests of the complainant, the respondent, and any others who may be involved, the College will use its best efforts to maintain confidentiality to the greatest extent practicable and appropriate under the circumstances while continuing to provide a fair process to the complainant and the respondent. However, confidentiality cannot be assured in the following circumstances:

- where an individual is at imminent risk of self-harm;
- where an individual is at imminent risk of harming another; and/or
- where there are reasonable grounds to believe that others in the College or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the complainant would not be released to the public.

6.5 Protection from Retaliation and Reprisal

All individuals who pursue, participate, or cooperate in an investigation under this Policy are entitled to be free from reprisal or retaliation, or a threat of reprisal or retaliation, whether direct or indirect.

Any person who experiences reprisal or retaliation, or a threat of such, must immediately bring the concern to the attention of the investigator or LSS.

6.6 Balance of Probabilities

All conclusions resultant from an investigation process under this Policy will be determined using a “balance of probabilities” standard, which assesses whether it is more likely than not that the allegation asserted is true based on sufficient, relative, probative, and credible evidence. The investigator may also make a determination as to whether a complaint is frivolous, vexatious, or brought in bad faith.

6.7 Parallel Proceedings

The College will complete its own investigation and make determinations in response to all harassment, discrimination, and violence complaints, independent of any external parallel proceedings such as a police investigation or a lawsuit.

6.8 Unsubstantiated or Vexatious Complaints

If a person, in good faith, discloses or files a complaint of harassment, discrimination, or violence that is not supported by evidence gathered during an investigation, that complaint will be dismissed.

Disclosures or complaints that are found, following investigation, to be frivolous, vexatious, or made in bad faith may result in sanctions and/or discipline against the complainant.

7. Monitoring

This Policy and the related procedures shall be reviewed and amended as required and at a minimum of every five (5) years.

8. Appeals

8.1 As set out in the Student Code of Conduct Policy and Student Code of Conduct - Complaint Procedures, appeals of student violations may be pursued based on limited grounds under the provisions of the Student Code of Conduct – Appeals Procedures. Students are encouraged to seek the assistance of the Student Experience Office when pursuing appeals.

8.2 There is no formal appeal process for employee violations, though College employees who are members of a union may file a grievance as permitted by the applicable collective agreements.

8.3 There is no formal appeal process for violations by suppliers, contractors, volunteers, or visitors.

9. Related Procedures

- Harassment, Discrimination and Violence Prevention Procedures - Complaints against Employees
- Harassment, Discrimination and Violence Prevention Procedures - Complaints against Students
- Harassment, Discrimination and Violence Prevention Procedures – Complaints against Other College Community Members

10. Cross Reference to Other Existing Policies or Regulations

- Acceptable Computer Use Policy
- Administrative Staff Terms and Conditions of Employment
- Criminal Code of Canada
- Collective Agreements (Support Staff and Academic)
- Disruptive Student Behaviour in the Classroom or Learning Environment
- Electronic Mail (E-mail) Policy
- Free Speech Policy
- Learning and Development Policy
- Ontario Human Rights Code
- Sexual Violence Policy
- Sexual Violence Procedure
- Student Code of Conduct Policy
- Student Code of Conduct Policy – Complaint Procedures
- Student Code of Conduct Policy – Appeal Procedures
- Student Support and Intervention: Non-Academic Voluntary/Involuntary Withdrawal Policy
- Student Mental Health Crisis Intervention Procedures

11. Responsible Office

Human Resources and Organizational Development

Student Life, Engagement, and Development

12. Revision History

This Policy supersedes the following archived policy:

- Violence Prevention Policy SS100-12, issued December 2010

13. Revision Log

Date	Summary of Changes
March 10, 2021	<ul style="list-style-type: none"> • Name change to include Violence Prevention • General changes to incorporate violence prevention

	<ul style="list-style-type: none">• Scope now excludes incidents of sexual violence covered by Sexual Violence Policy• Provisions made for appeals
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