

COMPLAINTS AND REPORTING POLICY

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URGE discussion - recommendations moving forward

- Department level code of conduct
 - Create a department-level code of conduct where the EDI statement is explicit and where the informal and formal reporting processes are clearly laid out.
 - An emphasis on plain language to make it clear that all concerns are acceptable.
 - Explicitly enough to be clear across different cultures and backgrounds.
 - All labs would fall under this code of conduct and would have the option to add it to their own lab handbook or to create their own based on the code.
 - This code needs to be publicly accessible on the department's website and included in the orientation package of undergraduate/graduate students and faculty.
 - Made by the EDI committee with help Tara McGee (Associate Dean EDI).
 - Enforcement of the code of conduct is carried out as defined in the code of conduct
 - Potential consequences explicitly laid for faculty and students
- Reporting complaint policy and code of conduct should be regularly reviewed (last review was 2017)
- Class evaluations and departmental surveys should have an EDI component and made available to the department and EDI designated groups.
 - Incentives for anonymous EDI surveys
 - Opt-out system
 - Internal assessment
 - Make it yearly or semesterly
- Explicit process for informal complaints within the department
 - Creation of middle steps i.e mentorship program
 - Support and discussion before escalation
 - Anonymous reporting
 - Create a system that allows for the reportee to get updates
 - Mediation available in the department

- Create a clear visual flowchart of who to go to with issues to cover all bases and levels of severity
 - Designation of people to take care of EDI complaints as part of this process
 - Provide mediation, mental health and sensitivity training
- Yearly updated training for faculty - mandatory
 - Current policy: they need to put in x amount of service hours but no mandatory training
 - At least one person per lab group should have this training (outside of the supervisor)
- Mandatory check-in by a third party during candidacy exams or mid-way through masters
 - Candidacy exam: supervisor is asked to leave the room so the candidate can talk to the impartial exam chair about any issues that have come up. Students are asked to leave so the supervisor has the same opportunity.
 - Third party mid-masters check-in where students get the opportunity to talk about any issues they have encountered up to that point.
 - incentive to start the conversation while reducing the pressure of talking about your own supervisor
- Mentorship program
 - Create a system where undergraduate/graduate students have a connection to someone outside of their immediate circle.
 - Bigger support network for students
 - Randomly assigned which would help you break out from bubble
 - First year and international students are the most isolated groups so would create an easier path for connections.
 - Graduate students as mentors to the undergraduate students and as mentees to the faculty
 - Training provided for mentors
 - Ensures faculty and graduate students are up to date with sensitivity, mental health and EDI training.

Resources and policies in place:

Resources

1. [Discrimination, Harassment and Duty to Accommodate Policy](#)
 - a. [Discrimination and Harassment Complaint Procedure](#)
 - b. [Duty to Accommodate Procedure](#)
2. For Allegations against support staff:
 - a. For support staff who are Non-Academic Staff Association (NASA) members, Article 18 “Discrimination and Harassment Complaints” of the [Common Provisions](#) of the NASA Collective Agreement
3. For allegations against Academic staff:

- a. where the respondent is a member of The Association of the Academic Staff of the University of Alberta (AASUA), are found in Article 16 “Discipline” of the [AASUA Faculty Agreement](#)
- b. the [Administrative and Professional Officer Agreement](#)
- c. the [Faculty Service Officer Agreement](#)
- d. the [Librarian Agreement](#),
- e. Article 13 “Discipline” of the [Sessional and Other Temporary Staff Agreement](#)
- f. Article 14 of the Contract [Academic: Teaching Staff Agreement](#)
- g. Article 16 of the [Trust/Research Academic Staff Agreement](#)
4. For allegations against students:
 - a. Complaints against students: [Code of Student Behaviour](#)
 - b. Complaints against academically employed graduate students: [Graduate Student Assistantship Collective Agreement](#)
5. For allegations against postdoctoral fellows: [Postdoctoral Fellows Discipline Procedure](#)

Summary

Informal Resolution

- The only specific requirements of an informal resolution under the Discrimination and Harassment Complaint Procedure are: 1) all parties agree to the resolution; 2) the resolution is documented in writing; 3) The parties take ownership for the resolution and self-enforce the agreement.
- This document also provides a list of potentially helpful resources to assist with informal resolutions as follows:
 - o [The Office of Safe Disclosure and Human Rights](#)
 - o [Office of the Student Ombuds \(OSO\)](#)
 - o [Faculty and Staff Relations](#)
 - o [Human Resource Services](#)
 - o A department Chair or associate Chair, or other official in a department or a Dean or Associate Dean, in the case of a Faculty without department Chairs (our department Chair is [Stephen Johnston](#))
 - o [Graduate Student Assistance Program](#)
 - o [University Health Centre](#)
 - o [Counseling and Clinical Services](#)
 - o [Sexual Assault Centre](#)
 - o [University of Alberta Protective Services](#)
 - o [Student Success Centre](#)
 - o [Student Accessibility Services](#)
 - o [International Student Services](#)
 - o [Student Legal Services](#)

- [Aboriginal Student Services Centre](#)
- [Chaplains' Association](#)
- [Association of Academic Staff University of Alberta \(AASUA\)](#)
- [Non-Academic Staff Association \(NASA\)](#)
- No additional framework is provided to direct informal solutions under the Discrimination and Harassment Complain Procedure.

Formal Resolution

- Parties may seek a formal resolution to complaints at any time, and do not necessarily need to attempt to establish an informal one first, or may seek a formal resolution if a previously agreed upon informal solution fails.
- The Discrimination and Harassment Complaint Procedure directs those making allegations to different resources depending on whether the complainant is support staff, academic staff, student, or a postdoctoral fellow, as the discipline of each of these groups is governed by a separate agreement. Links to each agreement which governs the discipline of these various groups have been collected for reference, and are summarized below.
- Under the [Librarian Agreement](#), [Faculty Service Officer Agreement](#), [Administrative and Professional Officer Agreement](#), [Trust/Research Academic Staff Agreement](#), [Faculty Agreement](#), [Academic Teaching Staff Agreement](#):
 - Any person may submit a written complaint regarding the conduct of a staff member to the Provost, who, upon acceptance of the complaint, must then send a copy to the staff member, and inform them (in writing) of their right to ask for advice from their respective Association, and to meet directly with the Provost or their designate to discuss the complaint. If the Provost decides to dismiss the complaint, they shall first offer to meet with the complainant and provide their reasons for dismissing the complaint. The Provost must, within 10 days, authorize an investigation, dismiss the complaint, or within 15 days require the complainant and staff member to attempt an alternative dispute resolution process, such as mediation. In the event of an investigation, an investigator must be appointed within 20 days, who will meet with relevant parties and receive material submitted (further details on the investigation process can be found within specific agreements). In any meetings between the investigator and the respondent or the complainant, those parties may be accompanied by an adviser. Upon the completion of the investigation, the investigator must submit a written report to the Provost, as well as send a copy to the complainant and respondent. Both the respondent and complainant may then submit written responses to the report to the Provost within 10 days of the receipt of the report, who will send a copy of this response to the other party within 10 days of its receipt, who may submit a rebuttal within another 10 days. Prior to making a decision, the Provost shall offer to

meet with the complainant and respondent, and may contact other persons if they believe it will be of assistance. They may require further investigation – in such an event, a supplementary report will be submitted, and a copy sent to both parties. Once a decision is reached, the Provost will either dismiss the complaint, or penalize the respondent. The effective date of the penalty must be stated, and the penalty may take the form of: a letter of reprimand, a fine, a reduction in salary, suspension with or without pay, dismissal, or another appropriate penalty. The Provost shall advise the staff member of the decision, in writing, and shall inform the complainant, the Department Chair, the Dean, and the Association of the decision. Further details are available in the agreements referenced above.

- Under the [AASUA Collective Agreement](#):
 - o As above, written complaints may be submitted to the Provost about alleged misconduct of a staff member. The provost will then assess the severity of the misconduct as either Level 1 or Level 2. For a level 1 misconduct, the Provost may delegate to Deputy Provost, Vice-provost, Dean, or other appropriate administrative officers, who have the ability to reassess severity to level 2. Otherwise, an inquiry may be conducted, and at minimum the respondent will be provided the opportunity to know and respond to the allegations. Should they choose to be represented, it shall only be by a member of the Association. Following the inquiry, disciplinary action may be in the form of a letter of reprimand.
 - o In the event of a level 2 misconduct, the process following the receipt of the complaint is similar to that outlined above under the Librarian Agreement, Faculty Service Officer Agreement, Administrative and Professional Officer Agreement, Trust/Research Academic Staff Agreement, Faculty Agreement, and Academic Teaching Staff Agreement. The respondent may only be represented by a member of the Association. Potential disciplinary actions include suspension with pay, suspension without pay, or dismissal.
- Under the Support Staff Agreement [Common Provisions](#):
 - o Employers follow a progressive process of discipline, which should be administered in a timely manner. Therefore, managers and supervisors should first meet with employees to communicate concerns about an employee's performance or conduct. Written correspondence in any form may be used as a follow up to an in-person meeting. Possible non-disciplinary action includes coaching, letter of counselling, and relief of duty with pay, Pre-disciplinary actions include consultation with human resources (by a manager prior to conducting an investigation or taking disciplinary action), and investigation (where the employee had the right to Union representation). Disciplinary actions and due process provides for increasingly serious actions to be taken by the Employer if a problem with

an employee's conduct or performance is not resolved after using the appropriate non-disciplinary actions, in the order of a disciplinary meeting, written reprimand, suspension without pay, demotion, and dismissal, unless the particular circumstances of a case justify moving immediately to a more serious action. The employee may provide a written rebuttal to the Employer of any disciplinary action taken.

- Under the [Code of Student Behaviour](#):
 - o "30.5.2(2) e Where the Complainant believes that a Student has committed an Inappropriate Behaviour towards Individuals or Groups Offence [30.3.4, excluding Disruption] or any other Offence [30.3.6], the Complainant should speak to University of Alberta Protective Services. (EXEC 05 DEC 2011) 30.5.2(3) If the procedures in 30.5.2(2) have failed to bring resolution or the Complainant chooses to initiate a formal complaint, the Complainant must deliver a written and signed statement explaining the alleged violation of this Code to either the Director of UAPS and/or Dean. The complaint shall be a detailed written description of the incident. This shall include the time and place, person or persons involved, and all relevant information concerning the incident. In order to protect and to ensure the safety of all members of the University Community, discretion will be used in revealing the name of the Complainant to the Student charged, should the complaint proceed."
- Under the [Graduate Student Assistantship Collective Agreement](#):
 - o "23.01 A Graduate Assistant will only be disciplined for just cause. Discipline may take the form of a warning, a letter of reprimand, or termination of employment, in accordance with the principles of progressive discipline. A letter of expectation does not constitute discipline. Before making a decision to discipline, the Graduate Assistantship Supervisor shall consult with Faculty Relations. 23.02 Prior to disciplining any Graduate Assistant, the Graduate Assistantship Supervisor and Department Chair will inform the Graduate Assistant that they have a right to seek counsel from the GSA and a right to representation from the GSA at the discretion of the Vice-President Labour (or designate). 23.03 A Graduate Assistant may grieve whether just cause exists for any form of discipline. In the case of a warning or letter of reprimand, a Graduate Assistant may choose to respond in writing and upon request, that response should be placed on their file next to the warning or letter of reprimand and such a response will be acknowledged by the department in writing."
- Under the [Postdoctoral Fellows Discipline Procedure](#):

Complainants may submit a written letter of complaint to the Vice-President (research). The procedure of receiving and investigating complaints is similar to those outlined above under the Librarian Agreement, Faculty Service Officer Agreement, Administrative and Professional Officer Agreement,

Trust/Research Academic Staff Agreement, Faculty Agreement, Academic Teaching Staff Agreement, AASUA Collective Agreement, and Support Staff Agreement Common Provisions. The PDF has the right to consult with an advisor; to be accompanied and assisted at any investigative meeting with the Vice-President (Research) [or delegate, or the investigator] to be accompanied and assisted at an appeal hearing; and to be advised of these rights. Possible sanctions include a letter or reprimand, fine, restitution, suspension of appointment with or without pay, notify funding agency that appointment has been suspended, termination of appointment, notify funding agency that appointment has been terminated, exclusion, or other appropriate sanctions. Further details can be found within the Postdoctoral Fellows Discipline Procedure.