
	SUBJECT: Discrimination and Harassment Policy	POLICY NUMBER: C1100	AUDIENCE: College-wide
	APPROVED BY: Senior Leadership Team	DATE APPROVED: November 30, 2022	DATE EFFECTIVE: November 30, 2022
	DEPARTMENT: Human Resources	SUPERCEDES POLICY DATED: May 19, 2021	DISTRIBUTION: Online
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1. POLICY



- 1.01 The Canadian College of Naturopathic Medicine (CCNM) is committed to providing an intentionally inclusive learning, teaching, and working environment that is respectful and free from discrimination and harassment for all members of the CCNM community. Any discriminatory and harassing action and/or conduct will not be tolerated, condoned, or ignored at the CCNM.
- 1.02 The purpose of this Policy is to help fulfill this commitment and to uphold and maintain compliance with the *Ontario Human Rights Code* and the *British Columbia Human Rights Code* (collectively, the *Codes*).

2. SCOPE

- 2.01 The *Discrimination and Harassment Policy* (Policy) applies to all CCNM Community Members, including students, employees, patients, visitors, and other stakeholders.
- 2.02 This Policy applies to incidents of discrimination and harassment that occur between Community Members both on and off college premises, including, but not limited to:
- While engaging or participating in academic- or work-related activities, placements, assignments, and travel;
 - At college-related social events;
 - When representing the CCNM; and
 - All forms of communication between Community Members, including within the cyberspace.

3. DEFINITIONS

- 3.01 **Balance of probabilities:** The standard that must be met in order to demonstrate that there has been a violation of this Policy. The standard is met if the allegation is “more probable than not” to be true based on the evidence presented.
- 3.02 **Community Members:** A community that includes the CCNM students, employees, patients, visitors, committee members, board of governors, student groups, and other stakeholders formally recognized by the College.
- 3.03 **Complainant:** A Community Member who makes a complaint under this Policy.

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3.04 **Disability:** There are two common ways of looking at what disability is. One way is to see a disability as a medical condition that a person has. From this perspective, disability covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental, cognitive and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities and other conditions.



A newer way of looking at disability is that it is not something a person has. A person with a medical condition is not necessarily prevented (or disabled) from fully taking part in society. If society is designed to be accessible and include everyone, then people with medical conditions often don't have a problem taking part. From this point of view, disability is a problem that occurs when a person's environment is not designed to suit their abilities.

3.05 **Discrimination:** Any form of unequal treatment based on a Protected Ground that results in a disadvantage, whether imposing extra burdens or denying benefits. It may be intentional or unintentional, and direct, indirect, or systemic in nature, such as 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.

3.06 **Personal Harassment:** A course of comments or conduct 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 any of the grounds of discrimination identified by this Policy. If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the behaviour is acceptable and could still be considered harassment under the Codes.

Examples of personal 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 electronic means;
- Singling out a person for humiliating, demeaning, "teasing," or jokes based on their membership of a Code-protected group; and

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- Comments ridiculing a person based on characteristics that are related to a ground of discrimination, including comments about a person’s dress, speech, or other practices that may be related to their sex, race, gender identity, or creed.

3.07 **Prima facie:** The way something looks at first view; on the first appearance.

3.08 **Protected Grounds:** The Ontario Human Rights Code and British Columbia Human Rights Code (the *Codes*) prohibits actions that discriminate against people based on the following grounds, and any combination of these grounds:



- Age
- Ancestry
- Citizenship
- Colour
- Ethnic origin
- Place of origin
- Creed
- Disability (including mental, physical, developmental, or learning)
- Family status
- Marital status
- Gender expression
- Gender identity
- Race
- Receipt of public assistance
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Criminal conviction
- Political belief (British Columbia only)

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

3.10 **Respondent:** A Community Member that is the subject of a complaint under this Policy.

3.11 **Responsible Administrator:** The person responsible for resolving formal complaints under this Policy.

For **employees** who are the respondents, the Responsible Administrator is their direct supervisor and Executive Director, Human Resources.

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For **students** who are the respondents, the Responsible Administrator is the appropriate Associate Dean and the Dean.

3.12 **Senior Administrator:** The President & CEO and any member of the College's Senior Leadership Team (SLT).



4. ROLES AND RESPONSIBILITIES

4.01 The College recognizes its responsibility and commits to addressing discrimination and harassment by:

- Promoting community awareness of this Policy, its objectives, and the responsibilities and obligations it imposes;
- Ensuring that all Community Members are protected from unlawful discrimination and harassment in accordance with the *Codes*;
- Processing complaints and pursuing sanctions and disciplinary actions in a manner that is fair, unbiased, and accessible;
- Changing institutional structures and policies that contribute to systemic discrimination; and
- Honouring and protecting the rights of complainants and respondents throughout the complaint resolution process, including maintaining the privacy and confidentiality of all parties involved in the complaint resolution process.

4.02 All College Community Members are expected to uphold and abide by this Policy and are responsible for ensuring that their learning and working environment is respectful and free from discrimination and harassment by:

- Refraining from engaging in discrimination, harassment, acts of reprisal, or other breaches of this Policy;
- Reporting incidents of discrimination and harassment to the advisors of this Policy;
- Familiarizing themselves with this Policy and its related procedures;
- Completing all required discrimination and harassment instruction and training within established timelines;
- Cooperating in the investigations conducted under this Policy, including abstaining from impeding or attempting to impede investigations; and
- Complying with the corrective measures imposed by the College under this Policy, subject to relevant collective agreements and other appeal rights.

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4.03 Human Resources is responsible for:

- Receiving, responding, and resolving complaints under this Policy;
- Providing Community Members with appropriate and accessible information and instruction with respect to this Policy and its related procedures;
- Maintaining confidential records under this Policy;
- Reviewing this Policy to enhance its effectiveness and ensure that it is consistent with the *Codes*, other legislative requirements, and College policies; and
- Facilitating training and education of employees with respect to this Policy.

4.04 Equity, Diversity, and Inclusion (EDI) Officer is responsible for:

- Coordinating, leading, and assisting in education and prevention programs intended to inform Community Members about discrimination and harassment;
- Providing consultations and impartial advice related to this Policy and its related procedures to Community Members;
- Conducting investigations of complaints and facilitating the complaint resolution process under this Policy; and
- Tracking all reported complaints, investigation outcomes, and imposed sanctions.



4.05 Human Resources Manager is responsible for providing consultations and impartial advice related to this Policy and its related procedures to *employees on the Boucher Campus*.

4.06 Manager, Student Life is responsible for providing consultations and impartial advice related to this Policy and its related procedures to *students on the Boucher Campus*.

4.07 Legal Counsel is responsible for conducting investigations of complaints as deemed appropriate by the College.

4.08 Executive Director, Human Resources is responsible for:

- Reviewing and assessing complaints under this Policy;
- Assigning the mediator for alternative resolution;
- Assigning the investigator for each case based upon the nature of the allegation; and
- Overseeing the investigation and restorative outcomes of complaint resolution.

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4.09 President & CEO is responsible for making the final decision on the outcomes of all investigations conducted under this Policy and determining the appropriate sanctions for the formal complaints resolution process.

5. PROCEDURES

5.01 The procedures of this Policy are outlined in the *Complaint Resolution Procedures for Discrimination and Harassment*.

6. REFERENCES

Legislation

- [Ontario Human Rights Code](#)
- [British Columbia Human Rights Code](#)

College Policies

- AODA – Accessibility & Accommodations Policy
- Workplace Violence, Harassment, and Sexual Harassment Policy
- Employment Equity Policy
- Non-academic Offences Policy

7. APPENDICES

- Appendix A contains the Formal Complaint Form
- Appendix B contains the Summary of the Complaint Resolution Process
- Appendix C contains the Flowchart of the Complaint Resolution Process