


	SUBJECT: Discrimination Procedure	POLICY NUMBER: HR-C1100- R	AUDIENCE: College-wide
	APPROVED BY: Senior Leadership Team	DATE APPROVED: September 24, 2025	DATE EFFECTIVE: September 24, 2025
	DEPARTMENT: Human Resources	SUPERCEDES POLICY DATED: August 28, 2024	DISTRIBUTION: Online
	REVIEW CYCLE: 3 Years	NEXT REVIEW: September 2028	Page 1 of 8
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Appendix A: Discrimination Procedure



1. GUIDING PRINCIPLES

- a. Procedural justice shall be embodied in all parts of the resolution process which maintains fair and due process for all parties involved in a complaint and/or investigation to ensure that all individuals or entities affected by a decision have a fair opportunity to be heard, present evidence, and argue their case in front of an unbiased decision-maker.
- b. A Complainant has the right to withdraw a complaint at any stage of the complaint resolution process. However, the College may continue to act on the issue identified in the complaint in order to comply with its legal obligations under the Codes.
- c. Any party to a complaint has the right to decide not to participate in the resolution of the complaint in person. However, the College may continue to act on the issue identified in the complaint in order to comply with its legal obligations under the Codes.
- d. Complainants and Respondents may invite support persons (including a union representative) to meetings of the complaint process. However, support persons are not active participants in the investigation. The Investigator may exclude the support person, with the consent of the interviewee, from all or part of the interview if they believe that the presence of the support person will impact the quality of the interview (e.g., a Student is unlikely to be direct about private matters in the presence of a parent).
- e. The College will provide accommodations where needed and as requested by any parties involved in the complaint resolution process. If you require access to accommodations, please identify this need to the EDI Officer.
- f. The College will ensure that all physical and electronic records and documents related to the investigation and complaint resolution process are kept in a secure location within the Human Resources Department.

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2. CONSULTATION

Responsible Party	Action
<i>CCNM Community Member</i>	1. Report any incidents of Discrimination to: <ol style="list-style-type: none"> a. For Boucher Campus: <ol style="list-style-type: none"> i. For Employees, the EDI Officer or the Manager, Human Resources; ii. For Students, the Manager, Student Life. b. For Toronto Campus: <ol style="list-style-type: none"> i. For Employees, the EDI Officer or the Manager, Human Resources; ii. For Students, the Manager, Student Life.
<i>Manager, Human Resources or Manager, Student Life</i>	2. Direct all consult inquiries to the EDI Officer
<i>EDI Officer</i>	3. Provide a confidential consultation to discuss complaints under this Policy. 4. Determine if the complaint applies to this Policy or another.
If the Policy applies to the complaint	
	5. Inform the Complainant of such. 6. Discuss options for resolution with the Complainant. <i>Note:</i> this would include discussing with the Complainant whether they wish to proceed with a personal, an informal or formal resolution process. Cases that may be more appropriately directed to the formal resolution process include but are not limited to: <ul style="list-style-type: none"> • Serious or systemic allegations of Discrimination exist; • The complaint involves multiple Complainants and/or multiple Respondents; • The parties were not able to reach a negotiated resolution through the informal resolution process; and • The advisor has a perceived or real bias for or against either party to the complaint. <i>Note:</i> if the complaint is regarding the Executive Director, Human Resources or the President & CEO, the EDI Officer shall inform the Legal Counsel. In situations where the complaint is about the Executive Director, Human Resources, the President & CEO shall maintain oversight over the complaint and investigation. In situations where the complaint is about the President & CEO, the Legal Counsel shall maintain oversight over the complaint and investigation.

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<i>CCNM Community Member</i>	<p>7. Unless there are compelling reasons to proceed directly to the formal resolution process, every effort should be made to first resolve the issue personally or informally, if possible.</p> <p>8. The Complainant should inform the EDI Officer of their preference regarding the resolution process.</p> <p>9. While the preference regarding the resolution process of the Complainant shall be strongly considered the final decision of the resolution process rests with the College.</p>
If the Policy does not apply to the complaint	
<i>EDI Officer</i>	10. Inform the Complainant of such, and direct them accordingly if another policy is applicable.

3. PERSONAL RESOLUTION PROCESS



In recognition of possible power imbalances, fear of Reprisal, and safety issues, potential Complainants are not required to address the matter through the personal resolution process before proceeding with the complaint resolution process set out by the College.

Responsible Party	Action
<i>Complainant</i>	<p>1. If comfortable, discuss the matter with the person whose action gave rise to the complaint as the initial step towards its resolution. If assistance is required, or if the behaviour continues after talking to this person, Complainants are encouraged to discuss the situation, in confidence, with:</p> <ul style="list-style-type: none"> a. For complaints against employees, the Employee’s Manager or the Human Resources Department. b. For complaints against students, the Associate Dean, Academic Education (Toronto) or Associate Dean, Academics (Boucher) (as applicable).

4. INFORMAL RESOLUTION PROCESS

CCNM may resolve a complaint informally through a variety of methods, including mediation and an informal investigation. The nature of the informal resolution process may be determined by the parties to a complaint and the College in response to the unique context of the individual complaint.

If mediation is selected as the informal resolution process, it will be conducted by an appropriate neutral and expert third party, either internal or external, selected by the Executive Director, Human Resources. No person will be required to undertake mediation.

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Responsible Party	Action
<i>Executive Director, Human Resources or their delegate</i>	<ol style="list-style-type: none"> Determine if the complaint is suitable for an informal resolution process, considering the nature and seriousness of the allegations. Facilitate the resolution process, by seeking to resolve the complaint, including initiating an informal investigation or assessing the merits of the allegations. If necessary, select an appropriate neutral and expert third party, either internal or external, for the chosen informal resolution process. Ensure that both the Complainant and Respondent are fully informed about the informal resolution process chosen and agree voluntarily to participate.
<i>Informal Resolution Facilitator</i>	<ol style="list-style-type: none"> Conduct the chosen informal resolution process impartially, ensuring that both parties have the opportunity to express their views and concerns. Assist the parties in finding a mutually acceptable resolution to the complaint. Provide a summary of the resolution to the Executive Director, Human Resources or their delegate for documentation. Provide a summary of the resolution to the Complainant and Respondent within 20 business days of the initiation of the informal resolution process. If this cannot be completed within this timeframe, communicate this to the parties in writing.
<i>Executive Director, Human Resources or their delegate</i>	<ol style="list-style-type: none"> Ensure the resolution is signed by the Complainant and Respondent.

5. FORMAL RESOLUTION PROCESS


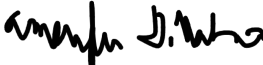
Responsible Party	Action
<i>Complainant</i>	<ol style="list-style-type: none"> Complete the <i>Discrimination Complaint Form</i> and send to the EDI Officer. <i>Note:</i> complaints should be submitted within one (1) year of the date on which the Discrimination happened, or if there was a series of incidents, within one (1) year of the last incident. Complaints that do not meet the time limit should explain in detail the reason for the delay. The College may ask for solid evidence to support the untimeliness of the complaint and every case will be decided based on its own facts.
<i>EDI Officer</i>	<ol style="list-style-type: none"> Upon receiving a completed <i>Discrimination Complaint Form</i> from the Complainant, shall assess whether a further consultation meeting is required or further documents may be needed.



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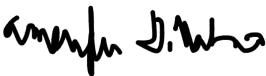
	<p>a. Where a further consultation meeting is required with the Complainant, shall contact the Complainant within five (5) Business Days of receipt of the Complaint Form.</p> <p>3. Within fifteen (15) Business Days of receipt of the Complaint Form:</p> <p>a. Where it is determined, in consultation with the Executive Director, Human Resources, that an investigation shall be conducted, provide a Notice of Investigation to the Complainant and Respondent providing details of the allegations and the procedures to be followed.</p> <p>b. Where it is determined an investigation shall not be conducted, the Complainant shall be advised as such.</p> <p>4. In consultation with the Executive Director, Human Resources, initiate the investigation or delegate the investigation to the Legal Counsel. The Executive Director, Human Resources advises the President & CEO when an investigation is commenced. <i>Note:</i> in consultation with the President & CEO, the Executive Director, Human Resources may refer exceptional cases (in consideration of the allegations and/or parties involved) to an external consultant to conduct an impartial investigation when appropriate (all collectively referred to as “Investigator”).</p>
<i>Investigator</i>	<p>5. Initiate an investigation within five (5) Business Days of receipt of the Notice of Investigation by the Complainant and Respondent, which shall be focused on:</p> <p>a. findings of facts and evidence, including interviewing the Complainants, Respondents, and witnesses;</p> <p>b. obtain statements from all parties involved, and ask the parties to review and sign off their statement; and</p> <p>c. gather additional relevant supporting documents and physical evidence (if available).</p> <p>6. Complete the investigation in a timely manner, generally within ninety (90) days, unless there are extenuating circumstances.</p> <p>a. Where there is unforeseen delay, promptly inform the Complainant and Respondent.</p> <p>7. Within ten (10) Business Days of the completion of the investigation, produce and provide to the Executive Director, Human Resources, an investigation report that summarizes the allegations, the steps taken during the investigation, and the evidence gathered, and draws conclusions on credibility of all parties involved and makes findings of fact (the “Investigation Report”).</p> <p>a. The Investigation Report shall use the standard of a Balance of Probabilities, where the standard is met if the allegation is “more probable than not” to be true based on the evidence presented.</p>

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	<p><i>Note:</i> Discrimination can involve individuals or groups, and it can occur during one incident or over a series of incidents including single incidents, which, in isolation, would not necessarily constitute Discrimination. It is the impact on the Complainant, subject to the reasonable person test, and not the intent of the Respondent that defines the treatment as Discrimination. The reasonable person test refers to an assessment of responsibility that takes into account not only what the Complainant and Respondent actually experienced, knew, or understood about one another or the situation, but also what a reasonable person in each of their circumstances would or ought to have experienced, known, or understood. When multiple factors influence a decision or action, the presence of Discrimination as one of those factors constitutes a violation of this Policy.</p>
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6. FINDINGS OF THE INVESTIGATION

Responsible Party	Action
Executive Director, Human Resources	<ol style="list-style-type: none"> 1. Review the Investigation Report and share the report with the President & CEO. 2. In consultation with the President & CEO, assess, where necessary, the appropriate disciplinary or corrective measure to be undertaken in response to the findings of the Investigation Report. 3. Within ten (10) Business Days of receipt of the Investigation Report, inform the Complainant, Respondent, and Respondent's Manager, of the outcome of the investigation, but shall not be provided with a copy of the Investigation Report, unless required to under law. <ol style="list-style-type: none"> a. Any questions that the Complainant or the Respondent may have regarding the Notice should be raised in writing within five (5) Business Days of receiving the Notice. b. It is at the sole discretion of the Investigator whether to have an informal in-person meeting with any of the parties to the complaint regarding questions raised per 3.a. above. c. If the Investigator chooses to meet with any of the parties to the complaint, the party to the complaint may bring at most one support person to the informal meeting with the Investigator. 4. Communicate any disciplinary or corrective measures taken against the Respondent, to the Respondent and their Manager, where appropriate. <p><i>Note:</i> any sanctions or disciplinary actions for a finding of Discrimination should:</p>

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	<ol style="list-style-type: none"> 5. Whenever possible, take a constructive and reparative approach rather than punitive; 6. Lessen the impact of the Discrimination on the Complainant's work or study; 7. Clarify the expectations and understanding of parties involved regarding the conduct of concern; 8. Prevent further incidents of the conduct reoccurring between the Complainant(s) and Respondent(s), or within the College Community in general; and 9. Focus on correcting the behaviour of the Respondents.
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7. RECORDKEEPING

Responsible Party	Action
EDI Officer/Legal Counsel	<ol style="list-style-type: none"> 1. Ensure appropriate records of complaints and investigations relating to incidents of Discrimination are kept in a secure location within the Human Resources department, including: <ol style="list-style-type: none"> a. a copy of the complaint or details about the incident; b. any records related to the investigation, including notes; c. a copy of the Investigation Report (if applicable); d. a summary of the investigation results, including the reports provided to the Complainant and Respondent; e. a copy of any corrective action taken to address the complaint; and f. any other documents required by legislated statute.

8. APPEALS:

- a. **Personal Resolution Process:** If the Complainant is not satisfied with the outcome of the personal resolution process, they may proceed with either the informal or formal resolution process as a next step. Per this policy, the Complainant may communicate their preference but the final decision for next step is up to the College. The Complainant must communicate their dissatisfaction and preference of next resolution process to the Executive Director, Human Resources within 10 business days of the attempted personal resolution.
- b. **Informal Resolution Process:** If the Complainant is not satisfied with the outcome of the Informal Resolution Process, they may request that their complaint move to the Formal Resolution Process. This must be communicated in writing to the Executive Director, Human Resources within 10 business days of receipt of the summary of the Informal Resolution Process. The Complainant must include the following information in the request for a Formal Resolution Process (the "FRP Request"):
 - i. The summary of the Informal Resolution Process;
 - ii. The reasons for their dissatisfaction with the outcome of the Informal Resolution Process;
 - iii. Any concerns about the Informal Resolution Process taken; and
 - iv. Any other information the Complainant believes to be relevant.

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Within 10 business days of receipt of the FRP Request, the Executive Director, Human Resources, in consultation with any relevant parties, will communicate in writing to the Complainant whether the FRP Request will be granted. Grounds to be considered include:

- i. The comprehensiveness of the Informal Resolution Process taken;
- ii. The reasons provided by the Complainant in the FRP Request; and
- iii. The views of the consulted parties.

If the FRP Request is not granted, this decision may not be appealed and is final. If the FRP Request is granted, the complaint will proceed through the Formal Resolution Process.

- c. Formal Resolution Process: If the Complainant is not satisfied with the outcome of the Formal Resolution Process there is no appeal or next step. Conclusions of the formal resolution process are final.

CONTEXT	
Related Policies	<i>Employee Complaint Policy</i> <i>Employee-Student Sexual Misconduct Policy (Toronto)</i> <i>Sexual Violence and Misconduct Policy (Boucher)</i> <i>Workplace Harassment and Violence Policy</i>
Related Forms	<i>Discrimination Complaint Form</i>