

Navigating the Discrimination and Harassment Resolution Process as a Respondent

This document provides a high level summary of the discrimination and harassment resolution process. For more information, please refer to the StFX's Discrimination and Harassment Policy.

1 Initial Intake

A specialist in Human Rights and Equity or People and Culture meets with the Complainant and provides information on their options under the Policy (*sections 6.2 and 6.5*).

2 Informal Resolution

This **optional** step aims to facilitate a resolution to a complaint without an investigation. For more information see the handout "Understanding the Informal Resolution Process" (*sections 5.1 to 5.8*).

3 Appointment of Investigator

If an investigation is required, an Investigator will be assigned to the complaint. This may be the same person who conducted the initial intake (*section 6.6*).

4 Complaint Review

The Investigator will review the complaint and determine whether an investigation is warranted. This is called determining whether there is a *prima facie* case (*section 6.8*).

5 Parties are Informed

You and the Complainant will receive a Notice of Investigation. This letter outlines the purpose of the investigation and information about the process (*section 6.12*).

6 Immediate Measures

The Responsible Authority may, if warranted, impose Immediate Measures. These are non-disciplinary steps meant to ensure the safety and wellbeing of the parties (*sections 4.1 and 4.2*).

7 Investigation

The Investigator will conduct an investigation. This can involve meetings with the parties and witnesses, if any. Complaints are investigated in as timely a way as possible (*sections 6.12 to 6.21*).

8 Report

The Investigator will write a report outlining the findings and submit it to the Responsible Authority. Once the report is approved, a copy is provided to the Complainant and the Respondent (*sections 6.22 to 6.26*).

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10 Opportunity to Respond

You will have 7 days to review and comment on the appropriate discipline and/or remedies (*section 7.2*).

11 Decision

After receiving the responses, the Responsible Authority has 2 days to issue a decision on disciplinary or remedial measures. You will be notified, in confidence, of the decision (*sections 7.3 to 7.7*).

Understanding Confidentiality

The investigation process is confidential. StFX understands you may need to share some information to identify witnesses and assist the investigation. You may also need to rely on your circle of support, such as close friends and family, union representatives, therapists or legal counsel.

We encourage you to ensure that any communications about the incident(s) during a process do not taint or undermine the integrity or fairness of the process.

StFX only shares information about an investigation and complaint for the purposes of immediate measures, resolution procedures or investigations. Information may be subject to disclosure as required by law.

For more information, see sections 3.1 to 3.4 of the policy.

Key Terms

During the process, you may hear about one or more of the following:

- **“Balance of Probabilities”** is the standard of proof used in investigations. It means that there is evidence to support the allegation that the comments or conduct “more likely than not” took place.
- **“Complainant”** is the person or persons that filed the complaint.
- **“Prima Facie,”** or “at first sight,” is a legal test to determine if there is sufficient evidence to support conducting an investigation.
- **“Respondent”** is the person or persons responding to the complaint.
- **“Responsible Authority”** is the person responsible for imposing immediate measures, reviewing the report and determining outcomes.

These definitions are simplified versions of those found in the policy.