

Procedure No. VI-04

Complaints Resolution Process: Workplace Discrimination/ Harassment/Violence	
Adopted: October 27, 2000	Last Reviewed/Revised: September 3, 2025
Next Scheduled Review: 2026-2027	
Associated Policies & Procedures: III-15 Workplace Violence III-16 Workplace Discrimination and Harassment VI-102 Responding to Hate or Bias Motivated Incidents Involving or Impacting Students	

Purpose

To provide a clear and standard procedure for processing and addressing workplace discrimination/harassment/violence complaints in accordance with Halton Catholic District School Board (HCDSB) policies.

Application and Scope

This complaint process applies to all personnel working within the jurisdiction of the HCDSB, to all students in attendance in schools under the HCDSB's jurisdiction and to all visitors, guests, and volunteers in the HCDSB's schools.

References

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Occupational Health and Safety Act](#)

[Ontario Human Rights Code](#)

Requirements

A. Complaint Process:

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The following procedure is designed to give assurance that workplace discrimination/harassment/violence will not be tolerated, to allay fears of retaliation, and to provide assurances that persons accused of the above will be dealt with through a fair process:

1. An individual reporting alleged workplace discrimination/harassment/violence has the right to bypass the informal resolution process and proceed directly to the formal complaint process.
2. Because of the sensitive nature of any complaint under this process, throughout the investigative procedure, every reasonable effort will be made by all parties concerned to respect the confidential nature of the information, subject to the obligations of the Board to carry out its investigation and to comply with the legal requirements of the *Ontario Human Rights Code*.
3. All information collected under these procedures will be dealt with in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Occupational Health and Safety Act*.
4. The Superintendent, Human Resources Services or designate is available to provide information, counselling and/or advice to employees on a confidential basis regarding the application of this procedure or to clarify other options available to an employee seeking to resolve a complaint of discrimination and/or harassment.
5. Under no circumstances may any involved party – complainant, respondent, or witness – disclose any information pertaining to any investigatory matter. Any breach in confidentiality throughout and/or following the investigation process, except as required by law, will result in disciplinary action, up to and including termination for just cause.
6. To ensure timely investigation into alleged complaints, and any redress as applicable and appropriate, any complaint must be filed within six (6) months following the incident(s) of workplace discrimination and/or harassment; when the facts upon which the complaint is based, occurred more than six (6) months prior to the date the complaint was filed, in their discretion, the Superintendent, Human Resources Services, or designate, may decide not to address the complaint. Further, where a reasonable circumstance exists for failing to bring the complaint forward within the time limit and where the delay would not result in any prejudice to the Respondent, a complaint may be accepted beyond the established time limit.

B. Informal Resolution of Complaints:

1. Where an individual feels that they have been the victim of workplace discrimination/harassment/violence contrary to the *Ontario Human Rights Code* and the *Occupational Health and Safety Act* (2009), they are first encouraged to make known to the person who is the source of the discrimination and/or harassment, either verbally or in writing, that such conduct is unwelcome.

2. In the event this proves unsuccessful, or circumstances are such that the complainant does not feel comfortable confronting the person who is the source of the incident, the respondent, then the complainant may discuss the situation with a Principal, Supervisor, Manager, Superintendent, Human Resources Services or overseeing Superintendent. If the respondent is an individual in a position of responsibility, such as but not limited to those named above, the complainant may bring the concern forward to the respondent's supervisor.
3. The complainant should maintain detailed, dated accounts setting out times, locations, witnesses and details of the discrimination and/or harassment, in connection with each incident. However, failure to do so will not preclude the use of these procedures.

C. Formal Complaint Procedure:

1. The complainant will commence the formal complaint process by providing the Superintendent, Human Resources Services, or designate, a formal written statement setting out the allegations of the discrimination and/or harassment, including dates and places. Complaints are to be submitted electronically at the following link: [Workplace Discrimination/Harassment/Violence Occurrence Form](#). A separate list of witnesses, where possible, should be provided. List of witnesses will not be disclosed to the complainant or the respondent.
2. The Superintendent, Human Resources Services, or designate, will meet with the respondent to provide them with a copy of the written complaint, together with a copy of this complaint procedure, at the earliest opportunity or such longer period as the Superintendent, Human Resources Services, or designate, may deem to be reasonable.
3. Following the receipt of the respondent's written response, the Superintendent, Human Resources Services, or designate, will meet with the complainant to review the response and to obtain the complainant's comments, as appropriate.
4. Following these meetings, the Superintendent, Human Resources Services, or designate, will meet with any witnesses or other persons, whether or not named by the complainant and/or the respondent, who the Superintendent, Human Resources Services, or designate, feels may be able to contribute to the investigation.
5. At the conclusion of the investigation, the Superintendent, Human Resources Services, or designate, will meet, individually with the complainant and the respondent to review the results of the investigation. During this review, the Superintendent, Human Resources Services, or designate, will confirm whether the allegations have been substantiated, unsubstantiated, or if the findings are inconclusive. Both the complainant and the respondent will be given a final opportunity for input and response at this stage. Such input may be given orally or may be provided in writing within five (5) days of the meeting or such further period as the Superintendent, Human Resources Services, or designate, deems reasonable. It would be reasonable to expect that the investigation process would be completed within 90 days

from receipt of the complaint, unless there are reasons why the investigation process may take longer.

6. Following final input from the complainant and the respondent, the Superintendent, Human Resources Services, or designate, will attempt, within ten (10) working days, or as soon as circumstances permit, to reach a determination of whether or not the behaviour of the respondent constituted discrimination and/or harassment and they will provide their final report to the Director of Education together with any recommendations, if appropriate.
7. In the event it is concluded that discrimination and/or harassment did not occur, this finding will be conveyed to both the complainant and the respondent in writing. No record of the finding will be placed in the respondent's file. No disciplinary action will be taken against the complainant unless it is determined that the complaint has been made maliciously or vexatiously, deliberately to harass the respondent, or to abuse this policy. The results of the investigation, along with supporting investigatory documentation, and the investigation report will be maintained in a confidential file to be kept by the Superintendent, Human Resources Services.
8. If it is determined that the respondent's behaviour did constitute discrimination and/or harassment, and it is determined that a disciplinary response is appropriate, the HCDSB's normal disciplinary policies and procedures will be followed. The results of the investigation, along with supporting investigatory documentation, and the investigation report will be maintained in a confidential file to be kept by the Superintendent, Human Resources Services. The complainant and the respondent will be advised in writing of the outcome of the investigation and the corrective action(s) taken.
9. If it is determined that the discrimination and/or harassment did occur, but that a non-disciplinary response is more appropriate in the circumstances, such action will be taken and a notation of such will be placed in the respondent's file. The results of the investigation, along with supporting investigatory documentation, and the investigation report will be maintained in a confidential file to be kept by the Superintendent, Human Resources Services. The complainant will be apprised of the report at the earliest opportunity.
10. Following the determination and findings of the investigation, an appeal may only be made to the Investigator provided that new, objective evidence not previously provided as part of the investigation process is provided within five (5) working days.

D. Alternates and Exceptions:

1. In the event the Superintendent, Human Resources Services is unable to carry out their obligations under this policy, the Director of Education may appoint another person to perform the role and may extend the time periods as deemed appropriate.
2. The Superintendent, Human Resources Services may, with the approval of the Director, designate another person including an external consultant or counsel to assist in conducting the investigation.

3. In the event that the Superintendent, Human Resources Services is named as the respondent in a discrimination and/or harassment complaint, the complaint will be made directly to the Director of Education and the Director of Education, or their designate will carry out the investigation according to the procedures set out above.
4. In the event that the Director of Education is named as the respondent in the complaint, the complaint will be made directly to the Chair of the Board of Trustees who shall designate a supervisory officer or external consultant or counsel to carry out the investigation and to report back to the Chair with the results of the investigation.

Breach of Confidentiality

All participants in a harassment investigation - including the complainant, respondent, witnesses, and support persons - are expected to maintain strict confidentiality regarding the investigation and any related information. This is critical to ensuring a fair, unbiased, and effective investigative process.

Any unauthorized disclosure of information related to the complaint or investigation may:

- Jeopardize the safety or privacy of those involved,
- Compromise the integrity and effectiveness of the investigation, and
- Constitute a breach of organizational policy.

Where a breach of confidentiality occurs, the investigator and/or the organization may be left with no alternative but to cease the investigation. In such circumstances, an adverse inference may be drawn based on the breach, and appropriate actions may be taken in accordance with the organization's policies and relevant legislation.

APPROVED: Regular Meeting of the Administrative Council

AUTHORIZED BY: _____

Director of Education and Secretary of the Board