



Appendix 1:

Human Rights Discrimination and Harassment Procedures

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1. Introduction and Purpose

- The Human Rights Discrimination and Harassment Procedures (Appendix 1) to the HRDHP), describe how the OAREHRS will adhere to the principles and receive, assess, address, and resolve concerns, reports and complaints regarding alleged breaches of the HRDHP.

2. Definitions

- **Alternative Resolution:** Alternative forms of complaint resolution that do not involve investigation or decision-making. Examples of alternative resolutions include mediation, impact statement(s), impact letter(s), facilitated dialogue, education, and restorative justice.
- **Early Intervention:** An opportunity for the OAREHRS to resolve a potential breach of the HRDHP before initiating a complaint resolution process. Early intervention does not involve a finding under the HRDHP.
- **Complaint:** A formal report written to the OAREHRS by a Complainant to initiate the complaint resolution process under the HRDHP and Procedures. In some circumstances, a complaint may proceed with George Brown as the Complainant.
- **Complaint Resolution Process:** The process to resolve a complaint. The complaint resolution process may include alternative resolutions or investigation and decision-making.
- **Complainant:** A current George Brown community member who makes a complaint under the HRDHP. The Complainant must be the person directly affected by the events described in the complaint. In some circumstances, George Brown may be named as the Complainant.
- **Decision-Making:** The process of determining whether a breach of the HRDHP has been found, and if so, assigning appropriate accountability measures.
- **Investigation:** A formal fact-finding process to gather and assess information and evidence about an allegation of discrimination or harassment, make findings of fact, and assess whether discrimination or harassment in breach of the HRDHP has occurred.
- **Notice of Complaint:** The notice issued by the OAREHRS of a complaint resolution process under the HRDHP.
- **Report:** A formal account to the OAREHRS of alleged harassment or discrimination. A report is submitted by someone who witnesses an

incident(s) of harassment or discrimination. George Brown community members are encouraged to report to the OAREHRS in good faith any allegations of discrimination and harassment, as well as a reasonable belief in the existence of a poisoned environment.

- **Respondent:** The George Brown community member who is alleged to have breached the HRDHP.
- **Responsible Administrator:** The decision-maker under the HRDHP.
- **Restorative Practices:** Stemming from Indigenous practices, restorative justice includes various forms of alternative resolution, such as accountability circles and community conferencing, in which those who have done harm and stakeholders are actively engaged in understanding what happened and the impact of a harmful situation on the person harmed and the community.
- **Summary of Allegations (“SOA”):** The final set of allegations when going forward with a complaint resolution process under these Procedures. The allegations contained in the SOA have passed the OAREHRS’s preliminary assessment.
- **Support Person:** A person providing support to a person involved in the complaint resolution process. Support persons may include an Elder, spiritual advisor, friend, family member, employee union representative, member of student association, legal professional, colleague, etc. A support person cannot be an individual with direct knowledge of or involvement in the incident of discrimination or harassment that is the subject of the complaint resolution process, or a person who has a connection to the parties such that their involvement as a support person would undermine the purpose of protecting confidentiality in the process. A support person provides support and does not answer on behalf of the person.
- **Trivial, frivolous, vexatious, bad-faith complaint:** A trivial complaint involves a minor or technical breach with no meaningful impact. A frivolous complaint lacks a reasonable basis under the HRDHP or has no reasonable prospect of success. A vexatious complaint is brought for an improper purpose, such as to harass or cause disruption. A complaint made in bad faith involves clear evidence that it was brought with a dishonest or improper motive.

3. Complaint Resolution Features

3.1. Procedural Fairness

Procedural Fairness is the foundation of the complaint resolution process. George Brown is committed to administering complaint resolution processes in a procedurally fair manner. Procedural fairness is context-specific and includes ensuring that the respondent is informed of the allegations, that relevant information relied on in the process is shared with the parties as appropriate, that the complainant and respondent have a reasonable opportunity to respond, that sufficient notice is provided for interviews or meetings where participation is requested, and that outcomes are communicated in accordance with the Policy and Procedures

3.2. Accessibility

- The OAREHRS will provide for an accessible complaint-resolution process and accommodate the needs of individuals participating in the complaint resolution process. This may include accessible formats, communication supports, and individualized accommodation as required under the *Ontario Human Rights Code*.

3.3. Confidentiality

- George Brown is committed to keeping personal information of individuals involved in a complaint resolution process confidential, except where it is reasonably necessary for the implementation of the HRDHP, George Brown's legal obligations or to ensure fairness in the complaint resolution process. For example:
 - George Brown employees (other than George Brown health care providers) who receive information about potential harassment or discrimination are required to report those to the OAREHRS, which may lead to a complaint resolution process.
 - George Brown has a duty to investigate under the *Ontario Human Rights Code* or the *Occupational Health and Safety Act*.
 - George Brown has a legal duty to inform the police or a regulator. For example, the duty is to inform local child and family service agencies when there is a perceived risk of harm to a child.
 - The sharing of information is necessary to implement interim measures and to conduct a complaint resolution process under the HRDHP, including investigating, making decisions, and imposing accountability measures.
 - Where further disclosure is required by law.

- Anonymity and confidentiality are not the same. Every effort will be made to share information arising from an investigation on a need-to-know basis.
- Community members who participate in or receive information about a matter under the HRDHP are expected to maintain confidentiality and not disclose information about the matter except as necessary to obtain advice or support, participate in the process, comply with legal or employment obligations, or address safety concerns.

4. Filing a Complaint or Report under the HRDHP

4.1. Information about Filing a Complaint or Report

- Any current George Brown community member who has a concern about discrimination or harassment may speak with an OAREHRS advisor. Advisors will provide objective and confidential information about the HRDHP, filing a complaint or report, and options for seeking resolution.

4.2. Time Period to File a Complaint

- A current George Brown community member who believes they have experienced discrimination or harassment, or who has reason to believe discrimination or harassment has occurred, may file a complaint or a report. Complaints or reports of harassment or discrimination must be made within one (1) year of the alleged incident, or if related to a series of incidents, within one (1) year after the last incident in the series. Complainants who make a complaint outside of the one (1) year timeline must explain the cause of the delay. In these circumstances, the OAREHRS has the discretion to determine whether to proceed with a complaint resolution process.

4.3. Submitting a Report or a Complaint

- A current George Brown community member may file a report or a complaint. If a previous George Brown community member brings forward a report or a concern of discrimination or harassment, the OAREHRS will determine the most appropriate way to address the concern.
- Filing a complaint initiates the formal complaint resolution process. Reports and concerns may be addressed through early intervention or other appropriate responses.
- Complaints or reports may be submitted in writing by email at diversity@georgebrown.ca, or by requesting an in-person or virtual meeting with a Human Rights Advisor, or by attending an OAREHRS office. Complaints may also be submitted with the assistance of an

Advisor. The OAREHRS will acknowledge every new report or complaint within three (3) business days. The OAREHRS will also advise the Complainant of support available at George Brown.

- A complaint or report must set out all the facts alleged to constitute harassment and discrimination, including dates and times, the names of witnesses, and supporting documentation.
- An OAREHRS advisor will schedule an intake with a Complainant as soon as reasonably possible to clarify the allegations, explain the different complaint resolution pathways, understand the outcome the complainant is seeking, and discuss potential interim measures.

4.4. Anonymous Complaints

- Individuals may submit concerns or reports anonymously. The OAREHRS will review anonymous allegations to determine whether the complaint falls within the application and scope of the HRDHP and whether there is sufficient information to take further action.
- To file an anonymous report or complaint, George Brown community members may complete the Anonymous Complaint Form or email the OAREHRS at diversity@georgebrown.ca.
- George Brown's ability to investigate or respond to the specific circumstances of a complaint may be limited if the individual chooses to remain anonymous.
- Where an individual chooses to remain anonymous, the OAREHRS will limit the collection and use of identifying information and will include anonymous reports in institutional reporting in a manner that protects confidentiality.

4.5. Withdrawal of a Complaint

- A Complainant may withdraw their complaint at any time before a decision is issued by providing written notice to the OAREHRS.
- In certain circumstances, George Brown may proceed to address the allegations, where it determines that doing so is necessary to meet its obligations to George Brown community members or as required by law or applicable policies.
- When a complaint is withdrawn, both the Complainant and the Respondent may continue to access supports through appropriate George Brown services.

5. Preliminary Assessment

5.1. The Preliminary Assessment to Determine Appropriate Pathway

- The OAREHRS will conduct a preliminary assessment of the complaint to determine the appropriate response and resolution pathway. In determining the appropriate response, including whether to initiate a formal complaint resolution process, the OAREHRS will consider the following:
 - Whether the allegations fall within the application and scope of the HRDHP.
 - Whether the allegations fall within the HRDHP timelines.
 - Whether there is sufficient evidence to warrant further inquiry or an investigation.
 - Whether the allegations are, or should be, the subject matter of another internal or external process. For example, a criminal process, an application before the Human Rights Tribunal of Ontario, a grievance, workplace management action, or a student conduct complaint process.
 - Any other relevant information.
- After the preliminary assessment, the OAREHRS may:
 - Decline to take further action.
 - Initiate early intervention.
 - Initiate alternative resolution as the complaint resolution process.
 - Initiate investigation and decision-making as the complaint resolution process.
- Within thirty (30) days of completing the intake, the OAREHRS will advise the Complainant of the preliminary assessment decision. If the complaint falls within the application and scope of the HRDHP and the OAREHRS initiates a complaint resolution process, the OAREHRS will also provide the Complainant with an outline of the process steps and the estimated time to address the complaint.

5.2. No Further Action

- The OAREHRS will not initiate a complaint resolution process where:
 - The complaint does not fall within the application and scope of the HRDHP, for example:
 - The allegations, if true, would not constitute discrimination or harassment under the HRDHP.
 - The complaint does not name a current George Brown community member as a Respondent.
 - The complaint is outside the one (1) year time limitation, and no exception to the timeline is granted.
 - The allegations have been appropriately dealt with in another internal or external process or proceeding.
 - The complaint is determined to be frivolous, vexatious, or made in bad faith.
- The allegations, if true, would not meet the threshold for a formal complaint resolution process under the HRDHP.
- If the allegations properly fall under a different George Brown policy. In this case the Complainant will be advised of the relevant policy and referred to the appropriate George Brown office for follow-up and jurisdiction determination.

5.3. Frivolous, Vexatious, or Bad Faith Complaints

- A trivial, frivolous, vexatious complaint causes harm to the Respondent, the George Brown community, and the integrity of the complaint resolution process.
- A complaint resolution process will not be initiated where, following careful assessment, the complaint is determined to be frivolous, vexatious, or made in bad faith.
- A determination that a complaint is frivolous, vexatious, or made in bad faith will not be made solely because the evidence is insufficient to substantiate the allegations or because the allegations are unsubstantiated.
- The OAREHRS may assess whether a complaint falls within these categories at any stage of the complaint resolution process. Where appropriate, this issue may be addressed as part of a preliminary

assessment or through investigation, with the final determination made by the Responsible Administrator.

5.4. Early Intervention

- The OAREHRS may, in appropriate circumstances, take proportionate informal steps to address concerns before, or as an alternative to, initiating a formal complaint resolution process.
- Early intervention may include, where appropriate:
 - Communicating with an individual whose conduct has raised concerns to address the matter informally.
 - Consulting with Senior Administrators, managers, or supervisors regarding appropriate steps to resolve a concern; or taking other informal measures to resolve concerns promptly and fairly.
 - Early intervention is not a substitute for a formal complaint resolution process where the nature of the allegations, safety concerns, power imbalances, potential systemic issues or other relevant factors require a formal complaint resolution process.

5.6. George Brown as Complainant

- In some cases, the OAREHRS may initiate a complaint and act as the Complainant in a complaint resolution process. In doing so, the OAREHRS will consider all relevant factors, including:
 - There is credible information in the public realm of conduct that may constitute discrimination and harassment in breach of the HRDHP, or the OAREHRS receives information about alleged harassment or discrimination, but not a complaint.
 - Action is required to address risks to the safety, well-being, or integrity of the George Brown learning, working or living environment.
 - An investigation is required under law, for example, under the *Occupational Health and Safety Act* or the *Ontario Human Rights Code*.
 - Power-imbalances between the Complainant and the Respondent.
 - The complaint is anonymous, or the Complainant wishes to be a witness rather than a Complainant.

- Where the Respondent is a George Brown community member, but the alleged incident was against a non-George Brown community member.
 - The seriousness of the alleged incident or where there is an indication that there may be a pattern or systemic discrimination or a poisoned work, learning or living environment.
 - The wishes of the Complainant, if known.
- George Brown-initiated complaints will follow the complaint resolution process outlined in these Procedures.

6. Complaint Resolution Process

6.1. Determining Interim Measures

- After determining that a complaint will proceed to a complaint resolution process, the OAREHRS will consider whether to assign interim measures.
- Interim measures are implemented where necessary to support safety, well-being and/or the integrity of the process. They are non-punitive, temporary, and reasonable measures implemented to protect the parties, communities, and the integrity of the complaint resolution process. The OAREHRS will take steps to minimize the impact of interim measures on respondents. Interim measures will be removed upon completion of the complaint resolution process.
- Interim measures do not represent a finding of a breach of the HRDHP. Interim measures are without prejudice to the outcome of the complaint resolution process.
- Examples of interim measures include, but are not limited to:
 - No contact directive.
 - Separation of the parties.
 - Changes to residence arrangements
 - Adjustments to employment reporting structures.
 - Changes to class and/ or section enrolments.
 - Modifications to learning, living, or work environment, including transitioning from in-person to virtual or vice versa.

- Temporary adjustments to schedules, duties, or access to certain spaces.
- The OAREHRS may impose or amend interim measures at any time during the complaint resolution process where it is reasonably necessary, considering the circumstances.
- A breach of an interim measure may constitute a breach of the HRDHP. If there is an alleged breach of interim measures during a complaint resolution process, the alleged breach may be added to the issues to be determined in the investigation, and accountability measures may be assigned if found.
- Interim measures are ordinarily developed in consultation with the relevant parties and offices. For example, Public Safety and Emergency Management, Senior Human Resource Consultants, Managers, Labour Relations, and the Responsible Administrator.

6.2. Complaint Resolution Process on Hold or Closed

- George Brown may choose to place the complaint resolution process on hold or closed in appropriate circumstances. For example, if the Respondent's relationship with George Brown changes or if the substance of the complaint is being dealt or has been dealt with through a different civil legal process, i.e., through arbitration or before the Human Rights Tribunal of Ontario.

6.3. Notice of Complaint and Complaint Resolution Process

- The OAREHRS will provide the Complainant and the Respondent with a Notice of Complaint. The Notice of Complaint will include:
 - The Summary of Allegations.
 - The proposed complaint resolution process (for example, Notice of Investigation or Notice of Alternative Resolution).
 - Any interim measures implemented, and the consequences of breaching them.
 - Potential sources of support for both parties (including, if relevant, the option to access a union representative as a support person).
 - A link to the HRDHP and any other relevant policies (e.g. Code of Non-Academic Student Behaviour).
 - Information about the next steps in the complaint resolution process.

- Name and contact information for the OAREHRS Human Rights Advisor.
- Where the Respondent is an employee, the Senior Human Resources Consultant will be notified that the complaint resolution process under the HRHDP has commenced.
- Where the Respondent is connected to a work-integrated learning placement, the Notice of Complaint will be delivered to the individual Respondent and the organizational representative.
- A Human Rights Advisor or other member of the Human Rights Response Team will meet with the Complainant and the Respondent to explain the process.

6.4. Alternative Resolution

- The OAREHRS may initiate alternative resolution in appropriate circumstances. Alternative resolution is a formal complaint resolution pathway implemented after a complaint has passed the preliminary assessment.
- Alternative resolution refers to a complaint resolution process that does not involve investigation or decision-making. Examples of alternative resolution includes mediation, impact statement(s), impact letter(s), facilitated dialogue, education, and restorative justice.
- Participation in alternative resolution is voluntary and requires the agreement of both parties.
- Anything said during an alternative resolution process is confidential and without prejudice.
- Alternative resolution may not be appropriate when the allegations involve significant power imbalances, safety concerns, potential systemic issues or other circumstances that warrant a formal investigation.
- Alternative resolution processes can be initiated at any time during the complaint resolution process, up to the point when the Responsible Administrator issues the decision letter.
- If the Complainant and the Respondent consent to an alternative resolution process but are unable to resolve the complaint, the OAREHRS may choose to return the matter to an investigation. If the parties agree to a resolution of the complaint and a later finding is made that the Respondent has not complied with that agreement, the OAREHRS may choose to reopen the investigation.

6.5. Investigation and Decision Making

- The OAREHRS may initiate investigation and decision making where appropriate. Investigation and decision-making is a formal complaint resolution pathway used after a complaint has passed the preliminary assessment. This includes making findings of fact, decision-making, and possible assignment of accountability measures.

6.6. Investigations

- Investigation is a fact-finding process in which an internal or external investigator gathers and assesses evidence and makes findings of fact.
- The OAREHRS will initiate an investigation and determine the mandate and scope of an investigation based on the Summary of Allegations. The scope of the investigation may change, with notice to the parties, where there are additional allegations, alleged breaches of interim measures, or alleged breaches of confidentiality.
- The OAEHRES will appoint an impartial investigator with knowledge, training and experience in human rights, discrimination and harassment investigations and related issues. The investigator will have training in trauma and violence-informed investigation processes.
- The investigator will conduct a thorough investigation that is balanced, fair, unbiased, and free from discrimination. The investigator will conduct the investigation fairly and will allow the Complainant and Respondent the opportunity to comment on all relevant disputed facts before making findings of fact.
- The investigation process includes, but is not limited to:
 - Providing the Respondent an opportunity to know the allegations made and to provide a written response.
 - Interviewing the Complainant, Respondent and relevant witnesses.
 - Gathering additional relevant documents, records, or physical evidence.
- Throughout the investigation, Complainants and Respondents may invite a support person to meetings with the investigator. The investigator may exclude a support person from all or part of an interview if the investigator believes the support person's presence will affect the quality of the interview. For example, an investigator may believe that a student is unlikely to be forthright about private matters in the presence of a parent.
- Investigations may be expedited when information or evidence is publicly

available, such as in video footage or on social media.

6.7. Investigation Report

- The investigator will prepare a confidential written report that summarizes the evidence, assesses credibility, makes findings of fact, and, if requested, provides an analysis of whether the facts support a finding of discrimination or harassment and breach of the HRDHP. The investigator will also produce a summary of the investigation findings for the parties.
- The confidential report is provided to the Responsible Administrator, who determines whether a breach of the HRDHP has been substantiated and, if so, assigns any appropriate accountability measures.

6.8. Notice of Completion

- The OAREHRS will provide the parties with a Notice of Completion together with a summary of the investigation findings once an investigation report has been received.
- The Notice of Completion will identify the Responsible Administrator and include information about the next steps in the complaint resolution process.
- If the Complainant or Respondent believes there is a conflict of interest, or a reasonable apprehension of bias, related to the assigned Responsible Administrator, the concern must be raised with the OAREHRS within (3) business days. The OAREHRS will review the concern and determine whether reassignment or other appropriate measures are required to ensure procedural fairness. Where a conflict of interest is confirmed, an alternate Responsible Administrator will be appointed who has no prior involvement in the matter and is able to act impartially.

7. Decision-Making

- The Responsible Administrator/decision-maker is responsible for reviewing the investigation report and issuing a decision letter. The decision letter will make findings as to whether there has been a violation of the HRDHP. If so, the Responsible Administrator will assign appropriate accountability measures.

7.1. Referral to the Responsible Administrator/ Decision-Maker

The Responsible Administrator must be a senior administrator who has had no prior involvement in the matter and is able to make an impartial decision.

Where the Respondent is:

- A faculty member, instructor, or teaching assistant, the Dean will normally be the Responsible Administrator.
- A staff member, the Responsible Administrator, will normally be one (1) level above the Respondent's direct supervisor.
- A student, the Associate Vice-President, Student Success will normally be the Responsible Administrator.

OAREHRS will provide the Responsible Administrator with a decision-making package which includes:

- The Summary of Allegations and written response (if applicable).
- The Notice of Complaint and the Notice of Completion.
- The investigation report, including copies of all relevant documentary and digital evidence.
- Any additional written submissions by the complainant or the Respondent.
- Any other relevant information (for example, relevant policies, etc.).

7.2. Where the Respondent is an employee, the Senior Human Resources Consultant will be provided with the decision-making package to support the Responsible Administrator.

7.3. The OAREHRS Recommendations

As appropriate, the OAREHRS may make recommendations to the Responsible Administrator to repair working or learning relationships or to address systemic discrimination identified in the investigation. For example, recommendations may include:

- A process to restore working/learning relationships within the George Brown community.
- Workplace restoration.
- New training or education.
- A change to practice, processes, or policy assessment.

7.4. Making the Decision

- The Responsible Administrator will review and consider the information

in the decision-making package received from the OAREHRS, as well as any other relevant information they gathered. Any new information that the Responsible Administrator intends to rely on will be shared with the parties.

- The Responsible Administrator may request further information from and ask questions of the OAREHRS, the investigator, the Complainant, the Respondent, and any witnesses before rendering a decision (e.g., for clarification or additional information).
- If a meeting is requested, a notice will be issued that describes how the meeting will be conducted, the right to attend with a support person, and all invited attendees. The meeting will ordinarily be conducted informally, and the Responsible Administrator may vary the meeting procedure to ensure procedural fairness.
- The Responsible Administrator may request the investigator address issues identified in the investigation report.
- The Responsible Administrator may seek legal advice and/or request support from the General Legal Counsel's office or Senior Human Resources Consultant during the decision-making process.
- The Responsible Administrator will consider the OAREHRS' recommendations in their decision-making.
- Based on their consideration of the investigation report and any additional information received, the Responsible Administrator may:
 - Find that based on the evidence, the allegations are substantiated, and the Respondent breached the HRDHP, and assign appropriate accountability measures.
 - Find that based on the evidence, the allegations are unsubstantiated and the Respondent has not breached the HRDHP.
 - Make recommendations that are reasonable and appropriate to further George Brown's commitments under the HRDHP. For example, recommend training, education, or changes to systems or processes.
 - Make another decision that is appropriate in the circumstances.

8. Accountability Measures and Progressive

Discipline

8.1. Responsible Administrators have a range of possible accountability measures they can assign following a finding of a breach of the HRDHP. In considering what accountability measures are appropriate, the Responsible Administrator will consider the principles of progressive discipline and will also consider:

- The Respondent's disciplinary history.
- The nature and severity of the incident.
- George Brown's role as an educational institution.
- The accountability measures sought by the Complainant.
- The impact of the incident on the complainant and the George Brown community.
- Any remorse shown or restorative actions by the Respondent.
- Any applicable legislation.
- Any other relevant factors.

8.2. Accountability measures may include, without limitation:

- Education, training or referral to counselling.
- A letter of expectation.
- A behavioural contract.
- Relocation or change of duties or supervision.
- Restrictions from a certain building, parts of campus or activities.
- No-contact orders.
- Change of class, program, residence, or work assignment.
- A written reprimand.
- Suspension from school, suspension from work without pay, termination, or expulsion.

Accountability measures are intended to be corrective, where possible.

Not all accountability measures are disciplinary. Accountability measures

that are disciplinary include a written reprimand, suspension, termination, or expulsion.

Any accountability measure or disciplinary action arising from a finding under the HRDHP will be implemented in accordance with applicable collective agreements, employment policies and relevant legislation.

8.3. Decision Letter

- In most cases, the Responsible Administrators will issue a decision letter to the Respondent, with copies to the OAREHRS within fifteen (15) business days of receiving the decision-making package from the OAREHRS. If the decision is expected to take more than 15 business days, the parties will be advised.
- The Respondent will receive a decision letter setting out the findings of fact, whether the allegations were substantiated, whether the HRDHP was breached, the reasons for the decision, any accountability measures assigned, any decision on OAREHRS recommendations, where applicable, and available appeal mechanisms. A copy of the Respondent's decision letter will be provided to OAREHRS for administrative, record-keeping, implementation, and reporting purposes.
- The Complainant will receive a decision letter setting out a description of the findings of fact, whether the HRDHP was breached, any accountability measures that materially affect the Complainant or are necessary for the Complainant to understand the outcome, and available appeal mechanisms.

8.4. Implementation of the Decision

- Where the Respondent is an employee, the Responsible Administrator will ensure the implementation of any accountability measures, whether disciplinary or non-disciplinary, monitor the Respondent's compliance with those measures, and inform the OAREHRS of the outcome. The Responsible Administrator may refer any non-compliance to the department with oversight of the applicable Code of Conduct.
- Where the Respondent is a student, the Responsible Administrator may request that the Registrar place a hold and/or a notation on the Respondent's student record that is commensurate with applicable accountability measures in the decision letter and in accordance with George Brown's policies and procedures.

9. Appeals

9.1. Grounds for Appeal

Grounds for appeal are limited to:

- Whether there was a substantial procedural error in the application of the HRDHP or Procedures.
- The decision was unreasonable in light of the evidence received.
- There are new facts or evidence that could potentially impact the outcome of the complaint, which could not reasonably have been obtained earlier.

If an appeal is filed by one (1) party, the other party or parties to the complaint will be notified that an appeal has been submitted. They will also be invited to make a written submission for consideration in the review of the appeal.

In deciding on the appeal, the appeal decision-maker will review the investigation file, the original decision and accountability measures, and any other relevant documents or information. The appeal decision maker may also interview the parties.

The appeal decision-maker, hearing the appeal, may seek confidential legal advice from the Office of General Counsel.

The appeal decision maker will communicate the appeal decision in writing to all parties within twenty (20) business days of the commencement of the appeal. If the appeal is expected to take more than twenty (20) business days, the parties will be advised.

The appeal decision is final, and there is no further appeal at George Brown.

9.2. Unionized Employee Appeal

When a party in a complaint resolution process is a unionized employee, they may grieve a decision under their applicable collective agreement.

9.3. Non-Unionized Employee Appeal

When a party in a complaint resolution process is a non-unionized employee, they may file a written appeal to the Vice President, People and Culture, within ten (10) business days of receiving the decision letter.

The Vice President, People and Culture, may exercise their discretion as

to whether to discuss the appeal with the employee before making a decision. The Senior Administrator is not required to discuss the written appeal with the Complainant or the Respondent before deciding the appeal.

9.4. Student Appeal

When a party in a complaint resolution process is a student, they may file a written appeal to the Provost within ten (10) business days of receiving the decision letter.

The Provost may use their discretion whether to discuss the written appeal with the party before making a decision. The Senior Administrator is not required to discuss the written appeal with the Complainant or the Respondent before deciding the appeal.

10. Key George Brown Contacts

- [The OAREHRS](#)
- [2SLGBTQIA+](#)
- [Accessibility at George Brown](#)
- Accessible Learning Services: ALSregister@georgebrown.ca
- AODA Committee: <https://www.georgebrown.ca/about/aoda>
- Black Student Success Network: <https://www.georgebrown.ca/current-students/services/black-student-success-network-bssn>
- [Black Futures Initiatives](#)
- George Brown Polytechnic sexual violence support services: svra@georgebrown.ca
- George Brown Polytechnic student counselling: contact the Counselling Office for support. Counselling Services is located at 200 King St. E., Room 582C, or by telephone at: 416.415.5000 Ext. 2107
- George Brown Public Safety and Security: dial (416)415-5000 or “0” from George Brown internal Cisco phone
- Human Resources: hr@georgebrown.ca
- Indigenous Initiatives: <https://www.georgebrown.ca/indigenous>
- [Student Association](#)