

What are the steps involved in informal or formal resolution to a Fair Treatment Complaint?

Step #1: Addressing the Issue

If you feel you are experiencing unwanted behaviour which would fall within the Fair Treatment Policy (*Harassment & Discrimination*) you should make an effort, if possible, to advise the person who is the source of the behaviour, that the behaviour is unwelcome and/or offensive.

You should keep a detailed record of the behaviour experienced including date(s), time(s), location(s) and witness(es). This information may be of assistance when/if the behaviour continues or you decide at a later date to pursue the issue.



Unwanted Behaviour:

Persistent or vexatious use of humiliating, embarrassing, demeaning, or abusive comments or actions, which have the effect of threatening, intimidating, or harming an individual or group.



You may decide to contact the Fair Treatment Officer (ph. 566-6498) or advise your supervisor.



The Fair Treatment Officer will provide you with information on UPEI's Fair Treatment Policy and some possible conflict resolution options.

Step #2: Reporting

If the behaviour continues and/or if you are unable or unwilling to approach the person who is the source of the perceived problem, you should contact one of the following persons below for advice and assistance. The name of the person does not need to be disclosed at this stage.



If You Are An Employee:

You should speak to someone such as your Manager, Chair, Dean or the Fair Treatment Officer. As the behaviour may be within the scope of the Fair Treatment Policy, the contact person or the complainant could contact the Officer.

If the complaint is deemed not to be within the Fair Treatment Policy, you should be offered or ask for other options to assist in resolving the issue.



If You Are A Student:

You could speak to Student Affairs, your Chair, Dean or the Fair Treatment Officer. As the behaviour may be within the scope of the Fair Treatment Policy, the contact person or the complainant could contact the Officer.

If the complaint is deemed not to be within the Fair Treatment Policy, you should be offered or ask for alternative options to assist in resolving the issue.

Step #3: Informal Resolution

Informal approaches to conflict often lead to a successful resolution of the complaint. The Officer may facilitate an exploration of mutual resolutions or recommend mediation or a third party facilitator/mediator to both of the parties at any stage in the process.



The mandate of the mediator and/or facilitator is to bring the complainant and the respondent together to explore each other's point of view and to assist the parties in reaching a mutually satisfactory solution.



Mediation:

Should either the complainant or respondent request mediation, then both the complainant and the respondent must agree.

Once there is agreement on proceeding with Mediation, the Officer will recommend a mediator. Both the complainant and the respondent must also agree on the mediator that is chosen.

The mediator will not make decisions, recommendations or act as a Representative for either party. The mediation process will be "without prejudice" and "off-the-record" unless the parties specifically agree to the contrary. However, any settlement reached will be on the record and will be disclosed to the Officer.

Step #4: Investigating the Complaint (Formal Process)

If you are not able to resolve the issue informally a formal complaint maybe initiated.



At this step in the process, if you decide to file a formal complaint you must provide the complaint in writing to the Fair Treatment Officer. The written statement to the Officer should include a detailed record of the behaviour experienced including date(s), time(s), location(s), and witness(es). A complaint form is available on the website to assist in you providing sufficient information.

Go to: www.upei.ca/vpaf/fair-treatment-office



The Officer will determine if the allegations fall within the scope of UPEI's Fair Treatment Policy, if so:

The Respondent is informed of the complaint and is requested to provide a response within 10 business days.

If Respondent fails to submit a response within 10 business days the Officer may proceed with the investigation.



The Officer or External Investigator may conduct the investigation. This may include interviews with respondent, complainant, and witnesses.



The Investigator forwards a report with the findings and recommended actions to the President or designate, yourself and the Respondent within 40 days of commencing the investigation.

Step #5: Final Decision

The final disposition of the complaint will be determined by the President or designate.



You or respondent may appeal the final disposition or investigative process in writing within 10 working days of receiving the original decision.



In the case of unionized faculty and staff, the right to grievance and arbitration will serve as the appeal process.



In the case of students or non-unionized staff the President or designate may appoint an Appeals Committee to conduct a hearing and issuing a binding decision.

For more information contact:

Fair Treatment Office

Email: pmaclean@hratlantic.ca

Tel: (902) 566-6498

or visit www.upei.ca/vpaf/fair-treatment-office