

Nunavut Arctic College Sexual Harassment Policy

POLICY

Nunavut Arctic College will promptly investigate and follow-up on all sexual harassment complaints.

PRINCIPLES

1. Every staff member and every student has the right to perform his/her assigned role at Nunavut Arctic College in an environment that is free from sexual harassment.
2. The College is committed to providing an educational environment which is free from sexual harassment.

DEFINITION

Sexual harassment is any conduct, gesture or contact of a sexual nature that:

- a. Is likely to cause offence or humiliation or
- b. That might, on reasonable grounds, be perceived by a staff member or student as placing a condition of a sexual nature on grade standings or on further educational opportunities or on the continued employment of a staff member

Sexual harassment includes but is not limited to, verbal abuse or threats of a sexual nature, unwelcome remarks, jokes, innuendoes or taunting about a person's sex or sexual orientation/often linked to references to the body, attire, age or marital status of the individual, displaying of pornographic, sexually offensive or derogatory pictures, unnecessary physical contact such as touching, petting and making unwelcome sexual invitations or requests.

Sexual harassment of a staff member by another staff member will be dealt with under the Government of Nunavut Workplace Harassment Policy.

Sexual harassment is coercive and one-sided and both males and females can be victims of it. It may occur one time only, or many times, and may be initiated by a staff member or a student during class or out of class. It is considered to have taken place if a reasonable person ought to have known that such behavior was unwelcome.

PROCEDURE

1. Where a staff member or student is of the opinion that s/he has been or is being subjected to sexual harassment, that individual should file a written complaint (marked Personal and Confidential) with a senior administrator at the Campus, usually the Dean. The complaint

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shall be confirmed in writing. The written complaint should be filed as soon as possible after the incident.

2. All complaints are treated as CONFIDENTIAL.
3. The senior administrator contacted shall immediately notify the President of the complaint and shall confirm investigative procedures to be followed.
 - a. The senior administrator and designated alternate of the other sex, will investigate the complaint in the following manner:
 - i] Interview the complainant
 - ii] Interview the alleged offender
 - iii] Interview any witnesses identified by the parties involved and ensure that the discussions are to be kept CONFIDENTIAL
 - iv] Document all information - all documents are to be kept in a secure location and are not to be removed or destroyed without express written consent by the administrator conducting the investigation
 - v] Determine whether the alleged misconduct constitutes sexual harassment after assessing all the facts and circumstances including the nature of the alleged harassment, the environment and the context in which the incident(s) are alleged to have taken place
 - vi] A response to the complainant regarding action to be taken will be made within ten (10) working days with final resolution of the complaint to be made within a reasonable period of time
4. A CONFIDENTIAL report will be submitted to the President within ten (10) days of the complaint being filed.
 - a. If it is determined that the complaint has been substantiated, disciplinary action will be taken. The action shall include any form of disciplinary action up to and including dismissal from his/her position (staff) or from the program (student). The nature of the disciplinary action will depend upon the gravity of the misconduct and mitigating circumstances.
 - b. Anyone filing a false complaint as determined by the investigation shall be subject to disciplinary action.
5. Where the complainant and/or the alleged offender is dissatisfied with the action taken as a result of a complaint, s/he may initiate action through legal channels, under the Collective Agreement or the Student Appeal Process as appropriate.
6. No documentation will be placed on the complainant's file except where there has been a false complaint that involves malicious intent. No documentation will be placed on the alleged offender's file unless the complaint is upheld.