

# MBBS ACTS Harassment Policy Procedures

## Harassment Policy Procedures

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# MBBS ACTS Harassment Policy Procedures

## Harassment Policy Procedures

### 1. Preamble

Menonite Brethren Biblical Seminary - ACTS (“the Seminary”) is committed to providing a workplace free from harassment for all employees and students. Harassment is contrary to biblical standards and is a form of discrimination prohibited by law: the Seminary does not tolerate such conduct. Harassment infringes on an employee’s or student’s right to a comfortable work and educational environment.

### 2. The Relationship Between Policy and Procedures

These procedures are an appendix to the Menonite Brethren Biblical Seminary - ACTS Harassment Policy and describe how the institution will respond to specific complaints.

### 3. Communication

The administration of the Menonite Brethren Biblical Seminary will ensure that the Harassment Policy and its procedures are published as an appendix to the MBBS ACTS Faculty and Staff Manual. From time to time these issues will be reviewed with employees to make sure that employees know what the procedures are and understand what remedies they might seek. The Seminary will also coordinate with the ACTS Director of Student Life to ensure that students registered with Menonite Brethren Biblical Seminary are also aware of the Harassment policy and procedures and know how to access this information easily.

### 4. What to do when Harassment occurs

These procedures outline several steps that are available to Seminary employees or students who feel that they have been harassed by any other Seminary employee or student. They also have legal options available including the right to lay a complaint under the *British Columbia Human Rights Code* or under the *Criminal Code of Canada*.

### 5. Confidentiality

In order to protect the privacy and reputation of all parties involved in a complaint, each person must hold all details of the complaint in confidence throughout all stages of the process. Only those people involved with the complaint will have access to specific information except when disclosure on a “need to know” basis is necessary. No record of a complaint will be placed on the personnel file of an employee unless the remedies involve discipline. The MBBS Administrative Team will be advised on any complaints made against or by its faculty and staff and will be kept apprised of all proceedings. Decisions about employment sanctions will be made by the Administrative Team.

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## 6. Harassment Contact Officers

Mennonite Brethren Biblical Seminary has the following Harassment Policy Contact Officers:

1. For Complaints initiated by or directed toward students:
  - a. The Director of Student Life for ACTS
2. For complaints involving staff and faculty only:
  - a. The MBBS Associate Dean.

Individuals wanting to talk about a particular situation or make a complaint, may approach these Harassment Policy Contact Officers. The officer will seek to advise the person about the procedures for making a complaint and will support the complainant in working through the process. The Harassment Policy Contact Officer will keep all matters confidential except as provided for in the procedures.

## 7. Resolution Options – Stage One

An individual may decide to tell the person responsible that his/her behavior is not appropriate and request that it stop. Although this is difficult, in many situations it is the most effective method of eliminating the problem. In this informal stage no written records will be kept.

If this is not successful or if the complainant is not comfortable taking that initiative, he/she may approach the appropriate Officer (listed above) for assistance. The assistance may involve advice on how to resolve the matter informally, or it may involve a mediated conversation between the complainant and respondent with the help of the appropriate Officer or designate.

## 8. Resolution Options – Stage Two

The complainant may decide to file a formal complaint if:

- a. he/she chooses not to meet with the respondent informally;
- b. he/she met with the respondent and no agreement for resolution of the complaint was reached;
- c. an agreement for resolution was breached by the respondent.

An individual wishing to make a formal complaint must do so in writing and submit it to the appropriate Officer within three months of the latest alleged incident. Complaints that exceed this time limit but are made in good faith and will not prejudice any person affected by the delay may still be accepted for up to one year. Appended to the end of this policy is a complaint form that should be used to register a complaint.

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The complaint will specify the details of the allegation including:

- a. names of the complainant and respondent;
- b. a detailed description of the alleged harassment (dates, times, locations, witness ) if available;
- c. the specific remedy sought by the complainant.
- d. The respondent has 5 days in which to respond to the complainant in writing.

If the Associate Dean of the Seminary is the complainant or the respondent, the complaint will be directed to the Academic Dean of ACTS.

The Associate Dean will provide the respondent with a copy of the complaint and appoint an investigator.

The investigator will complete the investigation within thirty (30) working days or at a later date mutually agreed to by both parties and submit a report in writing to the Associate Dean of the Seminary.

The Employer will take appropriate action and inform both parties in writing of the finding and the resolution.

## 9. Disciplinary and Rehabilitative Actions

Disciplinary and rehabilitative action resulting from an investigation may include one or more of the following:

1. A formal apology;
2. Counseling;
3. A change of work assignment of the accused person; and,
4. The suspension or discharge of the employee or student.

Spurious or false complaints are dealt with according to the same actions. In addition to the sanctions that may be imposed by the Seminary, employees of the Seminary who engage in harassment may expose themselves personally to damages in the event of a successful lawsuit or human rights hearing.

## 10. Record Keeping

An employee or student who believes he/she is being harassed should record all the details of the incident(s), including dates, times, location and possible witnesses. A record of incidents is not required to obtain assistance or to file a complaint. However, it may be useful in helping an employee/student remember details and could establish the basis of a harassment complaint.

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If the complaint is resolved through informal action, no formal record of the names of the parties or the specifics of the complaint will be retained.

No formal records will be retained after five years of the creation of the record.

If there is a finding of harassment, the outcome of the investigation and any disciplinary action will be recorded in the personnel file of the respondent.

All records will be maintained in the strictest confidence and kept in the office of the Associate Dean of the Seminary. They shall not be used in any other proceeding affecting either the complainant or respondent unless properly part of a personnel file.

The Associate Dean's office will maintain confidential records of complaints. Records will include the following information only: number of complaints, type of harassment and the nature or process of resolution.

### 11. Appeals

If a student is censured for an action, but desires to appeal the decision, the student will consult with The Director of Student Life for ACTS as to the appropriate process. Normally the appeal will be heard by a committee of the Mennonite Brethren Biblical Seminary established by the Administrative Team. Its decision will be final.

If an employee is censured for an action, but desires to appeal the decision, the employee will follow the appeal procedures established by Mennonite Brethren Biblical Seminary. Normally the appeal will be heard by a committee of the Mennonite Brethren Biblical Seminary established by the Administrative Team. Its decision will be final.

If a complaint is dismissed, but the complainant desires to appeal the decision, the complainant has thirty working days (30) from the date of the investigator's written recommendation to make formal appeal in writing. The appeal will be addressed to the Associate Dean of the Seminary. In the event that the Associate Dean is the person against whom the complaint is being made, then the complainant will address the appeal to the Academic Dean of the ACTS Seminary, who will forward it to the MBBS Administrative Team.

### 12. The ACTS Context

In the event that a person involved with another seminary either as student or employee makes complaint against a Mennonite Brethren Biblical Seminary student or employee, Mennonite Brethren Biblical Seminary will cooperate with that respective seminary in the resolution of the matter. All avenues of the informal process should be pursued. In the event that the informal process fails, an outside investigator (not party to either Seminary)

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will be assigned as part of a formal process to work with respective seminaries to find resolution.

Should the Mennonite Brethren Biblical Seminary student or employee be censured by the other Seminary for harassment, Mennonite Brethren Biblical Seminary will apply the same kinds of discipline that normally it would follow if the complaint were made by one of its own students or employees. However, in such cases Mennonite Brethren Biblical Seminary will take all necessary steps to ensure that the respondent's rights are being protected in any such action.

In the event that a Mennonite Brethren Biblical Seminary student or employer considers it necessary to lodge a complaint against an employee or student from another ACTS Seminary, Mennonite Brethren Biblical Seminary will follow its own procedures, but work cooperatively with the other Seminary in seeking resolution of the matter.

### 13. Responsibilities

Employees and students are responsible for treating fellow employees and students with respect. Any employee or student who believes that the actions or words of another employee or student constitute harassment has a responsibility to report as soon as possible to one of the Harassment Policy Contact Officers. In the event of a harassment complaint, employees and students are expected to respect the confidentiality of the process and cooperate in achieving resolution.

The Seminary administration is responsible for:

- setting a clear example of appropriate workplace behavior
- being aware of workplace behavior and actively monitoring it for signs of harassment
- being knowledgeable of organizational procedures for reporting and investigating complaints of harassment
- taking immediate action once a complaint of harassment has been brought forward
- educating all employees and students about the Harassment Policy and Procedures, including their roles and responsibilities
- receiving formal complaints and appointing an investigator
- taking disciplinary or other appropriate action when harassment has occurred, when a complaint is found to be vexatious or if anyone experiences retaliation.

The investigator has responsibility to conduct the formal investigation in a fair and timely manner respecting the confidentiality of the process. Once the investigation is complete, this person must submit a written report to the Seminary. All conflicts of interest must be reported.