

Dawson

Procedures for responding to employee, former student and employee disclosures reports and complaints of sexual violence

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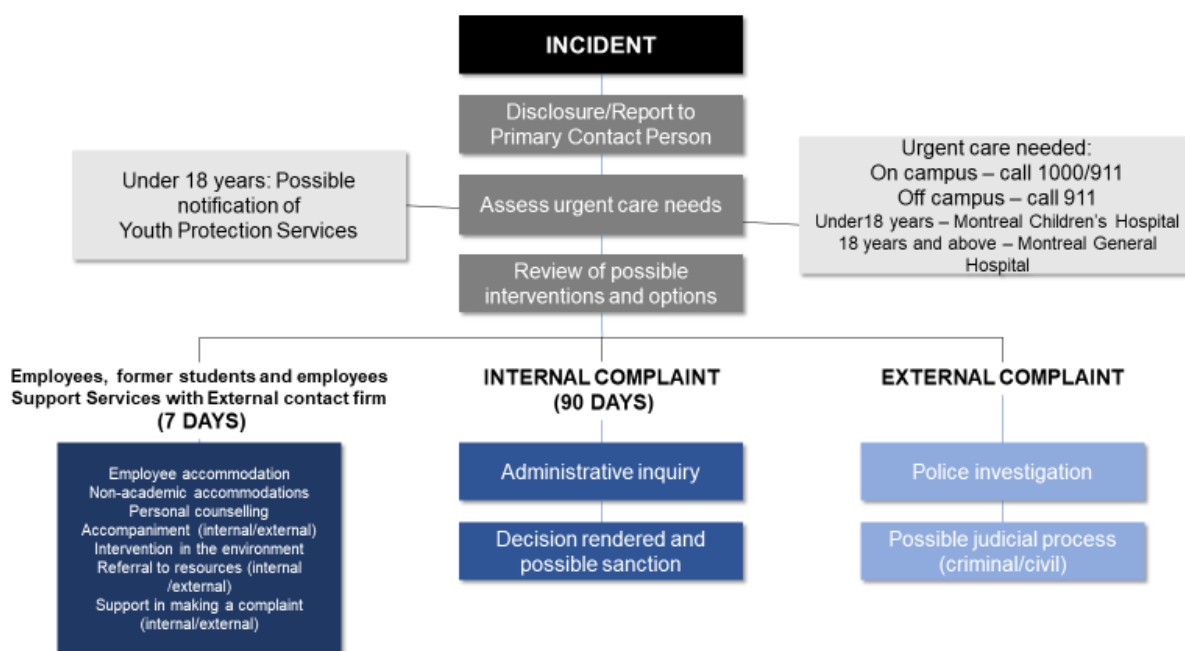
Procedures for responding to disclosures, reports, and complaints of sexual violence

1. Introduction

These procedures are designed to assist in the implementation of the *Policy on Sexual Violence*.

2. Employees

Figure 1. Flowchart to assist employees dealing with an incident of sexual violence.



The Employee Primary Contact is an external contact firm. The firm is the point of service for emergency services and immediate response to disclosures, reports and complaints of sexual violence. The employee will meet a Primary Contact Person who will provide support, information and resources. Individuals who engage with the Primary Contact Person will receive non-judgmental and confidential support in a safe space.

2.1 Emergencies requiring immediate assistance

On Campus

Contact Campus Security Department:

- Phone: (514) 931-8731, local 1000
- Use one of the Emergency panels (identified with red signs), which are situated on each floor in every wing of the College.
- In person: Security main desk 2E.14

If someone calls 911 from a campus phone, Security will be automatically notified of the call. If someone calls 911 from their cell phone, please notify security immediately after.

Off Campus

- Call 911.
- For evidence collection and testing for sexually transmitted infections:
 - > 18 years: Montreal General Hospital Emergency Room
 - < 18 years: Montreal Children's Hospital Emergency Room
- Contact the Montreal Sexual Assault Crisis Line: 514-933-9007
- Call 811 (Info-Santé) for free and confidential medical consultation service.

2.2 Follow-up assistance

Contact the External service firm for confidential support, information and resources:

- Online: Consulting the Dawson College Sexual Violence Information Web page
- Phone: 1-844-741-0061 ext. 955 (24 hours, 7 days a week), callers will be able to leave a voicemail. The outgoing message will provide information and resources
- Employees can report an incident via the ALIAS reporting service:
 - French: <https://alias-solution.com/contact/fr/cdawson>
 - English: <https://alias-solution.com/contact/en/cdawson>

The External service firm will reply to all inquiries, whether in person, by telephone or by e-mail. Options for accommodations and support will be reviewed and offered to the discloser within a **maximum of seven (7) days** after the initial contact by the discloser.

It is the Employee Primary Contact's obligation to contact the Human Resources Department to about the necessary accommodations required for the employee. The External service firm will also work in collaboration the Human resources Department in promoting the safety and security of all those affected. The Sexual Violence Response Team (SVRT) can be convened under the recommendation of the Employee's Primary Contact to accomplish these tasks.

2.3 Disclosure and Reports

The Employee Primary Contact is the point of service for immediate response to disclosures, reports and complaints of sexual violence. Individuals who engage with the Primary Contact Person will receive non-judgmental and confidential support in a safe space.

Support Services

The Employee Primary Contact can offer and/or facilitate the following support options:

- Counselling and support services are provided by the Service Firm
- Information about available services and options and College policies and procedures
- Support and accompaniment (internal and external)
- Referral to external resources
- Support to bystander(s) and witness(es)
- Recommend work related accommodations to the Human Resources Department

2.4 Sexual Violence Response Team (SVRT)

The SVRT is an ad hoc team composed of the most relevant resources, depending on each case, as determined by the Primary Contact Person and in accordance with the needs and wishes of the discloser. The SVRT, led by the Primary Contact Person, is called to meet on an urgent and priority basis in the event of a reported incident of sexual violence and will act together to provide a coordinated and appropriate response. Only essential details will be disclosed to the ad hoc team to ascertain the needs.

The Sexual Violence Response Team will ensure that accommodations are provided to all necessary parties within **seven (7) days** of the initial contact with the Primary Contact Person by the discloser, in accordance with existing policies and procedures.

2.5 Complaints

1. Internal complaint options

If you chose to move forward with an official complaint:

the Primary Contact Service will:

- provide information;
- review possible outcomes with the discloser should they wish to file an internal complaint; and/or
- assist with the filing of the complaint
 - French: <https://alias-solution.com/contact/fr/cdawson>
 - English: <https://alias-solution.com/contact/en/cdawson>

This is how the complaint will be processed:

- a) The complaint will be submitted to the Director of Human Resources, who will oversee and ensure that an inquiry is completed and a decision is rendered and communicated to the persons concerned within **90 days** of the initial contact by the discloser.
- b) The Director of Human Resources will delegate the investigation of the complaint to an external firm. Individuals that are convened for an inquiry will be required to sign a confidentiality agreement in order to preserve the integrity of the investigative process.
- c) In cases where both a student and an employee are involved, the Director of Human Resources will work in collaboration with the Director of Student Services with the exceptions of cases referred to in article 10.4.3.1 of the Policy on Sexual Violence.
- d) The discloser may terminate the process at any time, subject to the limitations set out in article 12 of the *Policy on Sexual Violence*.

Once a complaint has been received, the investigator from the external firm will meet with the discloser to determine, using the complaint form, the list of allegations that will be investigated. The list of allegations, including the name of the discloser, will then be submitted to the respondent prior to the onset of the investigation.

- e) If the respondent is a student, decisions rendered by the Director of Student Services will be communicated to the Director of Human Resources.
- f) In cases involving employees, the Director of Human Resources will render a decision based on the findings of the inquiry. The *Act respecting access to documents held by public bodies and the protection of personal information* (CQLR, chapter A-2.1) determines what, if any, information the College will legally disclose to the persons concerned with the inquiry.
- g) Upon completing the inquiry, the external contact firm will prepare a confidential written report detailing the nature of the investigation and conclusions reached. The Director of Human Resources will then take appropriate measures, in conformity with the appropriate provisions of the applicable collective agreement, the Code of Conduct, or the Policy for Management Personnel, to address the situation as required. While the report remains the exclusive property of the College, the findings of the inquiry will be communicated in writing to both the complainant and to the respondent. Barring a request for an appeal, the College will consider the matter as closed.
- h) All persons concerned with the inquiry will be informed in writing when a decision has been made. More specifically, the discloser will be informed that the inquiry has concluded. The findings of the inquiry will be forwarded to the appropriate managers and the respondent. Any sanctions will be communicated to the respondent, and, if the respondent is a College employee, their manager.
- i) In accordance with chapter P-22.1 *Act to prevent and fight sexual violence in higher education institutions*, Article 4 the person who filed the complaint is allowed to know the outcome of the investigation, namely if a sanction was imposed or not. In order to receive this information, the person who filed the complaint must contact the office of the Secretary General of the College. They will respond to their request.

Appeals

The discloser and the respondent have the right to appeal the decision by submitting a request to the Director General as per Article 14 of the Policy on Sexual Violence. Appeals can only be granted on the grounds of a major procedural error or new evidence. The Director General will render a decision within 20 days after receiving the appeals request.

2. External complaint options (criminal or civil)

If you decide to proceed with the criminal or legal option:

the Primary Contact Person will:

- provide information;
- provide referrals to external legal resources;

- review possible outcomes with the discloser should they wish to file an external complaint; and/or
- facilitate accompaniment for the discloser when filing a complaint.

2.6 Support to employee respondents

Once a complaint has been received, the investigator from the external firm will meet with the discloser to determine, using the complaint form, the list of allegations that will be investigated. The list of allegations, including the name of the discloser, will then be submitted to the respondent prior to the onset of the investigation.

The support person for Employee respondents will be a counselor from an external firm mandated by the College who did not receive the disclosure. The support person for Employee respondents will provide support in a non-judgmental and respectful manner. The support person for Employee respondents will provide information on policies, rights and resources, but is not an advocate and cannot provide legal advice to the respondent. Conversations with the support person for Employee respondents are private and confidential subject to the limits of the law.

More specifically, the respondent will be provided with information concerning:

- Counselling and support services provided by the external firm
- College Policies and Procedures
- Referral to internal and external resources
- Work related accommodations