



DISCRIMINATION & HARASSMENT POLICY

Policy Review Primer – January 2024



University
of Victoria

OVERVIEW OF THE POLICY

- UVic-wide policy that applies to all members of the University community (staff, faculty, students, etc.)
- Works to instill and cultivate institutional, collective and individual responsibility to create an environment and culture free from discrimination and harassment
- Defines various forms of prohibited behaviours/conduct at UVic (Direct Discrimination, Systemic Discrimination, Microaggressions, Personal Harassment and Harassment Based on Protected Characteristics)
- Provides a range of resolution options including formal investigations and voluntary processes such as mediation, educational conversations, etc.
- Clarifies the responsibilities of various UVic groups in preventing and responding to discrimination and harassment

POLICY REVIEW

After a round of university-wide engagement in September and October 2023, a full draft of the revised policy is now posted for feedback.

At this stage of the policy review, we are seeking feedback via email (policyreview@uvic.ca) or an anonymous survey. We welcome any feedback on the policy, general and specific, if you are providing feedback on a specific section, please note the section number in your response. This slide deck has been created to help summarize some of the significant changes to the policy.

As you review the draft policy and/or the following slides and provide feedback, consider:

- Is there anything missing or unclear in this section of the policy?
- Does this section support an improved Discrimination and Harassment Policy?
- Does this section address potential barriers or gaps in the existing policy?
- What supporting resources would be helpful as we prepare to implement the revised policy (e.g., quick guides, information sessions, etc.)?

To access the policy draft and to learn more about the policy review process up to now visit: <https://www.uvic.ca/equity/discrimination-harassment/review/index.php>

SIGNIFICANT CHANGES: ADDITIONS AND CLARITY

The revised Discrimination and Harassment Prevention and Response Policy (DHPR) both expands on the current policy and increases the clarity of existing sections.

New sections:

- Policy principles
- Commitment to education and training
- Microaggressions

Existing sections with increased clarity:

- Policy related roles and responsibilities
- Process options

POLICY PRINCIPLES

Like the Sexualized Violence Prevention and Response Policy, the DHPR now begins with clear principles to support the interpretation of the policy. For example, here are four of the principles included in the draft policy:

- Excellence in teaching, learning, research, scholarship, service, and operations at the University can only be achieved when all University Community Members can work, live, and learn in an environment free from Discrimination and Harassment.
- The Policy is based on the premise that ending all forms of Discrimination and Harassment requires all University Community Members to actively participate in creating change and dismantling systems of oppression. This means all University Community Members have responsibilities under the Policy.
- Whether or not the concerning conduct meets the threshold for the definitions of Discrimination and Harassment in the Policy, conduct that is disrespectful or harmful can nevertheless negatively affect participation by a University Community Member in the University's living, learning, or working environments.
- University Community Members will engage with the University and the Policy from their unique situation or position. Because of existing hierarchies and power dynamics at the University, individuals may be disadvantaged when engaging with the Policy, for example feeling comfortable navigating particular process options under the Policy. Understanding how power is held is key to preventing and responding to Discrimination and Harassment.

The full policy principles can be found in section 2 on page 7 to 8.

COMMITMENT TO EDUCATION AND TRAINING

Important in the university's overall prevention and response to Discrimination and Harassment is education and training. While specific educational commitments will be built out in supporting documents, the following has been included in the policy to ground UVic's commitments:

- The University is committed to addressing and preventing Discrimination and Harassment by implementing and actively promoting education, awareness and training programs, in multiple formats and tailored to multiple audiences (see Appendix H: Education and Awareness).
- The overall goal of the University's Discrimination and Harassment prevention education is to support groups and individuals in creating and maintaining inclusive living, learning, and/or working environments at the University based on respect.
- The University acknowledges that effective education on Discrimination and Harassment not only provides individuals with opportunities to expand their understandings of Discrimination and Harassment but also enable them to prevent behaviours that may cause harm to others.
- The University may identify required education, awareness, and training programs for all or specific University Community Members.

Commitment to Education and Training can be found in section 4 on page 10.

MICROAGGRESSIONS

To better reflect the wide spectrum of behaviours that are discriminatory and harassing, the revised policy includes Microaggressions.

“Microaggressions” are everyday actions or words which intentionally or unintentionally communicate hostile, derogatory, or negative messages or attitudes based on any Protected Characteristic. Microaggressions are often the result of perceived difference and/or unconscious bias.

Because of the everyday and often subtle nature of microaggressions a Report to the University (with the intention of initiating an investigation) is not a process option to address a single instance of microaggressions. Instead:

- The initial response to alleged Microaggressions will most often focus on education and accountability.
- Repeated incidents may cumulatively meet the definition of Direct Discrimination and/or Harassment Based on a Protected Characteristic where a Report to EQHR is a process option.
- An environment in which Microaggressions are persistent, permitted and/or tolerated, and/or where there is a supervisory failure to acknowledge and respond can constitute a Hostile Working or Learning Environment.

The full section on Microaggressions can be found in section 18 on page 15 to 16.

POLICY RELATED ROLES AND RESPONSIBILITIES

The policy works to invest responsibility across the University. In addition to laying out responsibilities for specific units (e.g., Equity and Human Rights, Human Resources, Faculty Relations, Student Affairs, etc.) in the procedures, the policy includes responsibilities relevant to all members of the University Community, including:

- It is the responsibility of all University Community Members to strive to create an environment free of Discrimination and Harassment in their areas of responsibility and in their interactions with others. To do this, they are responsible for building their awareness and understanding of what constitutes Discrimination and Harassment and the rights and responsibilities within the Policy.
- University Community Members are expected to model respectful behaviour, uphold the Policy principles, and refuse to engage in or condone behavior contrary to the Policy.
- University Community Members are encouraged to participate in any of the process options under the Policy and its associated procedures. The University acknowledges that some University Community Members may not participate in processes under the Policy for health and/or safety reasons.
- University Community Members are expected to receive Disclosures in a non-judgemental, empathetic and supportive manner and in adherence with confidentiality obligations (see Statement on Confidentiality and Privacy). The University encourages anyone who receives a Disclosure to seek advice from an Individual with Supervisory Responsibility or EQHR and/or to refer the individual making the Disclosure to EQHR for coordinated information and referrals to support.

The full list of Policy Related Roles and Responsibilities can be found in sections 26 to 29, page 18 to 21

PROCESS OPTIONS

The policy sets out various options for those who believe there has been a violation of the Discrimination or Harassment Policy. Based on the form of Discrimination and Harassment experienced available process options will vary.

There are generally three main process options after making a Disclosure to EQHR:

- requesting a EQHR keep a record with no further action
- requesting a Voluntary Process (which does not result in a determination of whether the Policy has been violated)
- completing and filing a Report (with the intention of initiating an investigation or review)

Detailed procedures will accompany the revised policy. To read summaries of the procedures visit <https://www.uvic.ca/equity/discrimination-harassment/index.php>

Note:

If you are interested in learning more about options for reporting discrimination and harassment, please contact Sam Lall at eghr01@uvic.ca. Additional support options can be found at <https://www.uvic.ca/equity/about/get-support/index.php>