



# Memorandum

**Provost Office**

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**TO:** Senate

**FROM:** Lydia White, Associate Provost (Policies, Procedures and Equity)

**SUBJECT:** Annual Report (2012-13) of the *Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law*

**DATE:** September 4, 2013

**DOCUMENT #:** D13-04

**ACTION REQUIRED:**  INFORMATION     APPROVAL/DECISION

**ISSUE:** Annual Report (2012-13) on *Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law*

**BACKGROUND & RATIONALE:** The *Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law* calls for the Provost to report annually to Senate and the Executive Committee of the Board of Governors on the operation of the Policy. The report covers educational activities as well as the work of the harassment assessors appointed under the policy.

**MOTION OR RESOLUTION FOR APPROVAL:** N/A

**PRIOR CONSULTATION:** N/A

**NEXT STEPS:** Report to the Executive Committee of the Board of Governors

**APPENDICES:** 2012-13 Annual Report: *Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law*

**2012-2013 ANNUAL REPORT  
POLICY ON HARASSMENT, SEXUAL HARASSMENT AND  
DISCRIMINATION PROHIBITED BY LAW**

## 1. Introduction

The *Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law* (henceforth, ‘the Policy’) came into force in April 2006. It calls for the Provost to report annually to Senate on the application of the Policy. The 2012-2013 report covers the period June 1<sup>st</sup> 2012 to May 31<sup>st</sup> 2013, the seventh year in which the Policy has been in effect.

The objectives of the Policy include promotion of awareness (through education and other proactive efforts) about equity issues, particularly as they relate to harassment and discrimination, within the University community, as well as the provision of procedures to address complaints of harassment, sexual harassment and discrimination prohibited by law.

## 2. Review of the Policy

According to Section 8 of the Policy, the Policy is to be reviewed, if Senate so determines, after 3 years of operation. Senate did so determine in 2012 and a working group, constituted in accordance with the Policy, has been reviewing the Policy during the 2012-13 academic year and working on possible revisions, to be brought to Senate during the 2013-14 academic year.

## 3. Promotion of Awareness

The promotion of awareness on equity-related matters is part of the mandate of the Social Equity and Diversity Education (SEDE) Office, which is committed to fostering a fair and inclusive environment that respects the dignity of each member of the McGill Community. SEDE has engaged in a number of activities in 2012-13 which relate to the objectives of the Policy. These include training and workshops on topics in diversity and discrimination, public events, special consultations, and more. More information is available in Appendix A, and from the SEDE website at [http://www.mcgill.ca/equity\\_diversity/](http://www.mcgill.ca/equity_diversity/).

In addition, a new website relating to the Policy was initiated in 2012 and is still being developed. The intention is that this website should promote awareness, and make the procedures for submitting complaints more transparent and easier to find. The website can be found at <http://www.mcgill.ca/harass/>.

## 4. Handling of Complaints

Harassment complaints are handled by 8 assessors, appointed by Senate (see Appendix B). The following tables provide statistical information on the handling of complaints under the Policy for the seven years that the Policy has been in operation.

### 4.1 Grounds of Enquiry/Complaint

In 2012-2013, there were 35 enquiries/complaints, representing an increase over last year. Table 1 shows that, as in previous years, the largest number of enquiries and complaints concerned harassment.

**Table 1: Grounds of Enquiry/Complaint**

Grounds	12/13	11/12	10/11	09/10	08/09	07/08	06/07
Discrimination	1 (3%)	5 (21%)	5 (12%)	6 (17%)	1 (4%)	6 (14%)	1 (2%)
Harassment	25 (71.5%)	15 (62.5%)	20 (46.5%)	24 (61%)	15 (58%)	18 (41%)	39 (60%)
Sexual Harassment	5 (14%)	1 (4%)	4 (9%)	7 (19.5%)	10 (38%)	12 (27%)	18 (28%)
Mixed	4 (11.5%)	3 (12.5%)	14 (32.5%)	2 (5.5%)	-	8 (18%)	7 (11%)
<b>Total</b>	<b>35</b>	<b>24</b>	<b>43</b>	<b>39</b>	<b>26</b>	<b>44</b>	<b>65</b>

## 4.2 The Parties

The parties involved as potential complainants and respondents are shown in Tables 2, 3 and 4. There is an increase in complaints from graduate students in 2012-13 and a drop in complaints from undergraduates; as in previous years, the majority of respondents are academic staff. (Note that, this year, two enquiries involved more than one potential respondent.)

**Table 2: Status of the Parties**

	Complainant							Respondent						
	12/13	11/12	10/11	09/10	08/09	07/08	06/07	12/13	11/12	10/11	09/10	08/09	07/08	06/07
Undergrads	1 (3%)	5 (21%)	8 (18.5%)	5 (11%)	10 (38%)	12 (27%)	23 (35%)	-	2 (8.5%)	4 (10%)	2 (5%)	5 (19%)	13 (30%)	22 (34%)
Grad students	18 (51%)	8 (33%)	9 (21%)	8 (22%)	3 (11%)	10 (23%)	3 (5%)	4 (10.5%)	4 (16.5%)	3 (7%)	4 (11%)	2 (8%)	4 (9%)	-
Acad. Staff	4 (11.5%)	5 (21%)	3 (7%)	4 (10%)	2 (8%)	9 (21%)	19 (29%)	19 (47.5%)	12 (50%)	13 (30%)	15 (42%)	12 (46%)	13 (30%)	19 (29%)
Admin/Support	9 (26%)	5 (21%)	21 (49%)	13 (33%)	9 (35%)	12 (27%)	16 (25%)	6 (18.5%)	3 (12.5%)	16 (37%)	10 (28%)	6 (23%)	13 (30%)	20 (31%)
Other/unknown	3 (8.5%)	1 (4%)	2 (4.5%)	9 (25%)	2 (8%)	1 (2%)	4 (6%)	9 (23.5%)	3 (12.5%)	7 (16%)	5 (14%)	1 (4%)	1 (2%)	4 (6%)
<b>Total</b>	<b>35</b>	<b>24</b>	<b>43</b>	<b>39</b>	<b>26</b>	<b>44</b>	<b>65</b>	<b>38</b>	<b>24</b>	<b>43</b>	<b>36</b>	<b>26</b>	<b>44</b>	<b>65</b>

**Table 3: Party by Party**

Complainant	Respondent	12/13	11/12	10/11	09/10	08/09	07/08	06/07
UG student	Undergrad student	-	2	3	3	5	7	14
	Grad student	-	1	1	-	-	1	-
	Academic staff	1	1	1	2	5	1	5
	Admin/Support	-	-	1	-	-	3	4
	Other/unknown	-	1	2	-	-	-	-
Grad student	Undergrad student	-	-	1	-	-	-	-
	Grad student	4	2	2	2	2	2	-
	Academic staff	9	5	5	6	1	7	3
	Admin/Support	3	-	-	-	-	1	-
	Other	4	1	1	1	-	-	-
Academic staff	Undergrad student	-	-	-	-	-	6	8
	Grad student	-	1	-	-	-	1	-
	Academic staff	3	4	-	3	2	2	11
	Admin/Support	-	-	-	-	-	-	-
	Other/unknown	1	-	3	-	-	-	-
Admin/Support Staff	Undergrad student	-	-	-	-	-	-	-
	Grad student	-	-	-	2	-	-	-
	Academic staff	4	2	6	1	3	3	-
	Admin/Support	4	3	15	10	6	9	16
	Other/unknown	2	-	-	-	-	-	-
Other	Undergrad student	-	-	-	-	-	1	4
	Grad student	-	-	-	1	-	-	-
	Academic staff	2	-	1	3	1	-	-
	Admin/Support	-	-	-	1	-	-	-
	Other/unknown	1	1	1	4	1	-	-
<b>Total</b>		<b>38</b>	<b>24</b>	<b>43</b>	<b>39</b>	<b>26</b>	<b>44</b>	<b>65</b>

**Table 4: Gender of Complainants and Respondents**

	12/13		11/12		10/11		09/10	
	Complainant	Respondent	Complainant	Respondent	Complainant	Respondent	Complainant	Respondent
Female	25	13	9	4	30	9	30	24
Male	9	23	15	13	13	28	9	11
Unknown	1	2	-	7	-	6	-	4
<b>Total</b>	<b>35</b>	<b>38</b>	<b>24</b>	<b>24</b>	<b>43</b>	<b>43</b>	<b>39</b>	<b>39</b>

### 4.3 Outcomes

The following are possible outcomes of an inquiry or a complaint:

- i. complainant makes enquiry and decides to take no further action under the policy;
- ii. informal resolution, before or after an investigation;
- iii. formal resolution following an investigation.

Outcomes of complaints are shown in Table 5. Of the total contacts made in 2012-13, 23 (66%) did not proceed beyond the enquiry stage and six cases (17.5%) were withdrawn. Three cases (8%) were resolved informally, while six cases (17%) went to formal resolution.

**Table 5: Outcomes**

	Enquiry Only							Withdrawn						
	12/13	11/12	10/11	9/10	8/9	7/8	6/7	12/13	11/12	10/11	9/10	8/9	7/8	6/7
Discrim	1	4	5	3	1	5	-	-	1	-	2	-	-	-
Harass	17	10	15	14	9	12	23	1	-	3	2	1	2	2
Sexual harass	4	1	3	3	5	6	12	-	-	1	-	3	2	-
Mixed	1	2	7	-	-	4	3	2	-	3	-	-	-	-
<b>Total</b>	<b>23</b> (66%)	<b>17</b> (71%)	<b>30</b> (70%)	<b>20</b> (51%)	<b>15</b> (58%)	<b>27</b> (61%)	<b>38</b> (60%)	<b>3</b> (8.5%)	<b>1</b> (4%)	<b>7</b> (16%)	<b>4</b> (11%)	<b>4</b> (15%)	<b>4</b> (9%)	<b>2</b> (2%)
	Informal Resolution							Formal Resolution						
	12/13	11/12	10/11	9/10	8/9	7/8	6/7	12/13	11/12	10/11	9/10	8/9	7/8	6/7
Discrim	-	-	-	3	-	1	1	-	-	-	-	-	-	-
Harass	3	2	-	5	-	2	13	3	3	2	3	5	2	1
Sexual harass	-	-	-	-	-	3	4	1	-	-	2	2	1	2
Mixed	-	-	1	2	-	2	4	2	1	3	-	-	2	-
<b>Total</b>	<b>3</b> (8.5%)	<b>2</b> (8%)	<b>1</b> (2%)	<b>10</b> (28%)	<b>-</b>	<b>8</b> (18%)	<b>22</b> (34%)	<b>6</b> (17%)	<b>4</b> (16.5%)	<b>5</b> (12%)	<b>5</b> (14%)	<b>7</b> (27%)	<b>5</b> (12%)	<b>3</b> (5%)

Table 6 provides basic information on those cases which were subject to formal resolution, with respect to whether the complaint was deemed to be founded or not. In all cases, the assessors' findings have been accepted by the Provost – as have, generally, their recommendations concerning the appropriate disposition of the cases.

**Table 6: Formal Resolution**

	Total Formally Resolved							Discipline							Other Measures						
	12/13	11/12	10/11	9/10	8/9	7/8	6/7	12/13	11/12	10/11	9/10	8/9	7/8	6/7	12/13	11/12	10/11	9/10	8/9	7/8	6/7
Founded	2	1	2	2	2	2	2	1	-	2	2	2	1	1	1	1	-	2	2	2	2
Not Founded	4	3	3	3	5	3	1	-	-	-	-	-	1	-	1	-	-	3	2	-	-

## 5. Conclusion

We would like to take this opportunity, on behalf of all members of the University, to publicly thank all those who have served or are continuing to serve as Assessors pursuant to the Policy. We would particularly like to thank the outgoing Assessors, Professors Ghyslaine McClure and Maria Zannis-Hadjopoulos, and administrative staff Susan Gregus and Susan Czarnocki. The University community is most appreciative of the dedication that the Assessors bring to this very important role, the integrity with which they fulfill their mission, and the time and energy they devote to ensuring the well-being of all members of the University community and the harmonious resolution of disputes.

## Appendix A

### SEDE Office – Equity Education Activities 2012-2013

#### 1. Made-to-Measure Trainings

(designed for a specific unit or job function; delivered on the request of a unit, or when a unit or job function is identified as a strategic priority; 18 workshops with 325 participants)

<b>Participants</b>	<b>Topic(s) Covered</b>	<b>Date</b>
Faculty of Law, Front Line Staff, 18 participants	Understanding Discrimination; Indigenous Perspectives; Disability and Universal Design	June and July 2012
School of Continuing Studies, Instructors, 25 participants	Navigating cross-cultural communication in the classroom	June 2012
Incoming SSMU Executive	Integrating equity practice into student government	June 2012
Residence Life, Floor Fellows, 80 participants	Creating inclusive social norms; how to speak up and model inclusive behaviour	August 2012
Maison Sauvé, Board of Directors Training, 8 participants	Gender Identity	August 2012
Sauvé Scholar Training, 12 participants	Creating an inclusive living space	September 2012
MacDonald Campus, Student Leaders and Residence Student-Staff, 10 Participants	Understanding Discrimination, Sexual Orientation and Gender Identity, Race and Culture (abridged versions)	Aug. 2012
PGSS, Executive, 12 participants	Integrating equity practice into student government	Nov. 2012
Health Services, volunteers, 15 participants	Sexual orientation and gender identity	Fall 2011
Faculty of Law, selection committee	Best practices for Implementing Employment Equity	Oct. and Nov. 2012
First Year Office, Leadership Skills Program, 25 Participants	Engaging with diversity in student leadership	October 2012
SEDE, Homework Zone mentors, 10 participants	General concepts and terminology in diversity and discrimination; microaggressions;	November 2012
Mac Campus, Student Services staff, 8 participants	Understanding Discrimination, Sexual Orientation and Gender Identity, Race and Culture (abridged versions)	Dec 2012
Student Groups and Clubs, 19 participants	Integrating equity practice into student leadership; creating inclusive spaces	Jan 2013
School of Social Work, Graduate and Undergraduate students, 19 participants	Responding to Microaggressions	Jan 2013
Residence Life, Staff, 8 participants	Creating inclusive living spaces; integrating equity into diverse portfolios	Jan 2013
AGSEM, teaching assistants, 22 participants	Engaging with diversity in the classroom	Jan 2013
Harassment Assessors, grievance committee members, 22 participants	Implicit bias; equity considerations in dealing with conflict and harassment claims	Feb 2013

## 2. Safer Spaces Workshop Series

(regular trainings for staff, faculty, and student leaders, offered in partnership with Teaching and Learning Services, Human Resources, and the Skillsets Learning Series for Graduate Students.)

**Workshops included:** 10 workshops, 5 per term, including Understanding Discrimination; Sexual Orientation and Gender Identity; Race and Cultural Identity; Disability, Access, and Universal Design (designed and delivered by the OSD) and Indigenous Perspectives (designed and delivered by First Peoples' House). Registration for downtown workshops in 2012-13 totaled 117 participants (40% graduate students, 40% staff, 20% faculty).

Pre and post evaluations demonstrate that participants consistently rate themselves as having gained significant skills during the course of the workshops, including an increased vocabulary related to equity issues, a greater comfort in navigating intercultural interactions, and an increased ability to intervene in instances where they witness discrimination happening on campus.

## 3. Consultations and Special Projects

Partner	Topic(s) Covered	Date
First Year Office – Orientation and Frosh Leader Training	Inclusion and Diversity	June – Aug 2012
McGill Diversity and Equity Research Lab	Participation in focus group study that aims at understanding the nature of discrimination on McGill campus as well as strategies for resilience	Dec 2012 – April 2013
Rez-Project – Support on workshop design	Sexual orientation and gender identity	Summer 2012
Equity Subcommittee on Queer People	Work in support of the committee's mandate	Ongoing
Enrolment Services	Consultation and support on expanded implementation of Preferred First Name procedure	Sept 2012- May 2013
Campus and Space Planning, Office for Students with Disabilities, Queer McGill, Equity Subcommittee on Persons with Disabilities, Equity Subcommittee on Queer People	Conducted Accessible Washroom Bathroom Survey; ongoing work to increase access to bathrooms across campus	Ongoing
Deputy Provost (Student Life and Learning)	Consulted on the Student Diversity and Discrimination Survey	Sept 2012
Teaching and Learning Services, Office for Students with Disabilities	Committee for the Inclusion of Diverse Learners, collaborated on the interactive presentation of Universal Design to the Joint Senate-Board	Ongoing
Counselling Services	Pride Team; providing LGBTQ-competent care	Mar 2013

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**4. Events and Presentations**

(forums, conferences, lectures, etc.; 8 events or presentation with a total of 925 participants)

<b>Partners</b>	<b>Event(s)</b>	<b>Date</b>
First Year Office	Leader Training Day, Orientation week, 600 participants	Aug 2012
First Year Office	“Bring it on” – film screening and panel discussion during Orientation, 25 participants	Sept 2012
Association for the Advancement of Sustainability in Higher Education	Presentation on <i>Sustainability and Social Equity: Lessons on effective social change work and building diversity competencies from McGill University</i> , 35 participants	Oct 2012
Strategic Enrolment Management Forum (SEM)	Presentation on <i>Understanding international students: needs, realities, challenges and approaches</i> , 50 participants	Nov. 2012
Academic Leadership Forum	Presentation to Deans and Chairs on <i>Achieving Equitable Representation: needs, realities, challenges, and approaches</i> , 50 participants	Feb 2013
Arc en Ciel d’Afrique	Co-sponsorship of the Massimadi: Festival de films et documentaires LGBT Afro-caribéens, 80 participants	March 2013
Equity Subcommittee on Queer People, Queer McGill	Return to the Rainbow Reception during Homecoming; LGBTQ Alum, as well as current staff, faculty and students, 60 participants	Homecoming 2012
Equity Subcommittee on Queer People, Queer McGill	LGBTQ Social Hour, LGBTQ Faculty, Staff, Graduate Students, 25 participants	Monthly

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**5. Indigenous Education Program**

(panel discussions, film screenings, workshops, etc., 789 participants)

<b>Event</b>	<b>Participants</b>	<b>Date</b>
Indigenous Awareness Week	Students, staff, and faculty, 434 participants	Sept 2012
Indigenous Educational Series	Students, staff, and faculty, 319 participants	Oct 2012- Mar 2013
Best Story Ever Told	McGill students and youth from the Intertribal Youth Center of Montreal, 36 participants	



**Appendix B**  
**2012 - 2013 Harassment Assessors**

*Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law*

Section 4.2. The Assessors shall be employees or appointees of the University. Four (4) shall be chosen from the members of academic staff and four (4) from the members of administrative and support staff. At least one of the Assessors shall be from Macdonald Campus.

Professor Ghyslaine McClure, Engineering

Professor Prakash Panangaden, Science

Professor Ronald Gehr, Engineering

Professor Maria Zannis-Hadjopoulos, Medicine

Ms. Elvie Coletta, Research & Restricted Funds

Ms. Susan Czarnocki, Libraries

Ms. Susan Gregus, Bioresource Engineering, Macdonald Campus

Mr. Andrew Staples, Institute of Islamic Studies

Alternate: Mr. David Syncox, Teaching & Learning Services (Co-ordinator of the Assessors)