



Memorandum

Provost Office

James Administration Bldg., Room 504

Tel.: 514-398-4177 / Fax: 514-398-4768

TO: Senate

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

SUBJECT: Annual Report of the Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law – 2011-2012

DATE: September 20, 2012

DOCUMENT#: D12-07

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE: The 2011-2012 Annual Report of the Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law is presented for information.

BACKGROUND & RATIONALE: The *Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law* calls for the Provost to report annually to Senate on the application of the Policy.

This 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: N/A

APPENDICES: Appendix A: 2011-12 Annual Report: Policy on Harassment, Sexual Harassment & Discrimination Prohibited by Law

**2011-2012 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 2011-2012 report covers the period June 1st 2011 to May 31st 2012, the sixth 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. 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 2011-12 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 1, and from the SEDE website at 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/>.

3. Handling of Complaints

Harassment complaints are handled by 8 assessors, appointed by Senate (see Appendix 2). The following tables provide statistical information on the handling of complaints under the Policy for the six years since the Policy has been in operation.

3.1 Grounds of Enquiry/Complaint

In 2011-2012, there were 24 enquiries/complaints, representing a drop over previous years. Table 1 shows that, as in previous years, the largest number of enquiries and complaints concerned harassment.

Table 1: Grounds of Enquiry/Complaint

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

3.2 The Parties

The parties involved as potential complainants and respondents are shown in Tables 2, 3 and 4. Complainants are fairly evenly distributed across the categories; the majority of respondents (50%) in 2011-12 are academic staff. This year, in contrast to previous years, the majority of complainants are male.

Table 2: Status of the Parties

	Complainant						Respondent					
	11/12	10/11	09/10	08/09	07/08	06/07	11/12	10/11	09/10	08/09	07/08	06/07
Undergrad Student	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%)
Graduate Student	8 (33%)	9 (21%)	8 (22%)	3 (11%)	10 (23%)	3 (5%)	4 (16.5%)	3 (7%)	4 (11%)	2 (8%)	4 (9%)	-
Academic Staff	5 (21%)	3 (7%)	4 (10%)	2 (8%)	9 (21%)	19 (29%)	12 (50%)	13 (30%)	15 (42%)	12 (46%)	13 (30%)	19 (29%)
Admin/Support	5 (21%)	21 (49%)	13 (33%)	9 (35%)	12 (27%)	16 (25%)	3 (12.5%)	16 (37%)	10 (28%)	6 (23%)	13 (30%)	20 (31%)
Other	1 (4%)	2 (4.5%)	9 (25%)	2 (8%)	1 (2%)	4 (6%)	3 (12.5%)	7 (16%)	5 (14%)	1 (4%)	1 (2%)	4 (6%)
Total	24	43	39	26	44	65	24	43	36	26	44	65

Table 3: Party by Party

Complainant	Respondent	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	2	5	1	5
	Admin/Support		1	-	-	3	4
	Other	1	2	-	-	-	-
Grad student	Undergrad student	-	1	-	-	-	-
	Grad student	2	2	2	2	2	-
	Academic staff	5	5	6	1	7	3
	Admin/Support	-	-	-	-	1	-
	Other	1	1	1	-	-	-
Academic staff	Undergrad student	-	-	-	-	6	8
	Grad student	1	-	-	-	1	-
	Academic staff	4	-	3	2	2	11
	Admin/Support	-	-	-	-	-	-
	Other	-	3	-	-	-	-
Admin/Support Staff	Undergrad student	-	-	-	-	-	-
	Grad student	-	-	2	-	-	-
	Academic staff	2	6	1	3	3	-
	Admin/Support	3	15	10	6	9	16
	Other	-	-	-	-	-	-
Other	Undergrad student	-	-	-	-	1	4
	Grad student	-	-	1	-	-	-
	Academic staff	-	1	3	1	-	-
	Admin/Support	-	-	1	-	-	-
	Other	1	1	4	1	-	-
Total		24	43	39	26	44	65

Table 4: Gender of Complainants and Respondents

	11/12		10/11		09/10	
	Complainant	Respondent	Complainant	Respondent	Complainant	Respondent
Female	9	4	30	9	30	24
Male	15	13	13	28	9	11
Unknown	-	7	-	6	-	4
Total	24	24	43	43	39	39

3.3 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 2011-12, 17 (71%) did not proceed beyond the enquiry stage and one case (4%) was withdrawn. Two cases (8%) were resolved informally, while 4 (16.5%) went to formal resolution.

Table 5: Outcomes

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

Table 6 provides basic information with respect to those cases which were subject to formal resolution, in particular as to whether the complaint was deemed to be founded or not founded. 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					
	11/12	10/11	9/10	8/9	7/8	6/7	11/12	10/11	9/10	8/9	7/8	6/7	11/12	10/11	9/10	8/9	7/8	6/7
Founded	1	2	2	2	2	2	-	2	2	2	1	1	1	-	2	2	2	2
Not Founded	3	3	3	5	3	1	-	-	-	-	1	-	1	-	-	3	2	-

4. 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 Assessor, Professor Catherine Walsh. 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 1

SEDE Office – Equity Education Activities 2011-2012

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)

Participants	Topic(s) Covered	Date
Mental Health Services Staff; roughly 20 staff; 45 min	Trust and Racial Microaggressions in Interracial Counselling	Nov. 2011
Mental Health Services Staff; roughly 20 staff; 45 min	Transgender Competent Care	Oct. 2011
Leadership skills series; 10 registered student leaders	General concepts and terminology in diversity and discrimination	Oct. 2011
Security Services; roughly 24 staff; full day workshop	Stereotype threat; racial profiling; levels of racial impact; stereotypes; gender identity	May 2011
SSMU Executive; 6 student leaders; full day	Integrating equity practice into student government	June 2011
Farm Management Technology Students; 40 students; two 45 min sessions	Sex and Gender; Race and Culture	Oct. and Nov. 2011
Shag Shop Volunteers (Health Services); 40; 1 hour	Sexual orientation and gender identity	Sept. 2011
School of Social Work; 15 Field Placement Supervisors; half-day	(Pilot of new Engaging with Diversity workshop for professional service providers) General concepts and terminology in diversity and discrimination; microaggressions; practical scenarios	Feb. 03, 2012
Children’s Tour Volunteers; 30 student and staff tour guides; 1 hour	Equity and diversity in service provision	March 2012
Mab-Mackay; 18 Social Workers; half day	General concepts and terminology in diversity and discrimination; microaggressions; pcs analysis	March 2012
Academic Advisors	General concepts and terminology in diversity and discrimination; microaggressions; guest presentations from OSD and FPH	March 2012

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: Understanding Discrimination; Sexual Orientation and Gender Identity; Race and Cultural Identity. Registration for downtown workshops in 2011-21 was approximately 110 participants (40% graduate students, 40% staff, 20% faculty).

Other Projects– worked with external consultants to assess and redesign workshops and evaluation methods and processes;

In partnership with the Office for Students, workshop on “Disabilities, Disability, Access, and Universal Design”;

In partnership with First People’s House, “Aboriginal Perspectives” (under development).

3. Consultations and Information/Resource Requests

(requests for components, revisions or comments to trainings, short presentations, etc.)

Request	Topic(s) Covered	Date
First Year Office – Orientation and Frosh Leader Training	Inclusion and Diversity	June – Aug 2011
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	Summer 2011 - Ongoing
Rez-Project – Support on workshop design	Sexual orientation and gender identity	Summer 2011
Race and Ethnic Relations committee of the JBSCE	Support in renewing the work of the committee; ongoing work in support of the committee’s mandate	Fall 2011 - ongoing
Human Resources – Spousal Relocation consult	LGBTQ messaging; resources for new employees who belong to communities of colour	November 2011
Staffing – recruitment consult	Aboriginal outreach and hiring practices at McGill; disability outreach	Spring 2012 - ongoing
Employment Equity – workforce survey redesign	In conjunction with the Federal Contractors’ Program Equity Committees	Winter/Spring 2012
Homework Zone – Training	General concepts and terminology in equity and diversity	Fall 2011 and April 2012
Response to homophobic incidents at Mac Campus	Homophobia	Winter 2012
Athletics – policy and implementation consult	Transgender inclusion	May 2012
Office of the Ombudsman – Staff Consult	Individual consultation on equity and diversity as related to the functions of the ombudsman	Spring 2012

4. Public Events

(lectures, film screenings, discussion groups, socials, etc.)

Audience	Event(s)	Date
Staff, faculty, graduate students	Co-sponsored series of three events (film, lecture, discussion group) focused on issues of intersectionality that impact McGill	Fall 2011
Cultureshock participants, students, student leaders	Workshop: Building Solidarity Across Colourlines	Fall 2011
McGill and Montreal community members; members of black communities and friends of black communities	Co-sponsor and organizational support for “Community-University Talk”, a Black History Month Event	February – March 2012
LGBTQ Alum	Return to the Rainbow Reception	Homecoming 2011
LGBTQ Faculty, Staff, Graduate Students	LGBTQ Social Hour	Monthly

Appendix 2
2011-2012 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 (Co-ordinator of the Assessors)

Professor Catherine Walsh, Law

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