

# Research Report: Complaints and Reporting Policies at the University of Waterloo

Pod Group: Wetland Soils & Greenhouse Gas Exchange Lab

Unlearning Racism in Geoscience (URGe) Program

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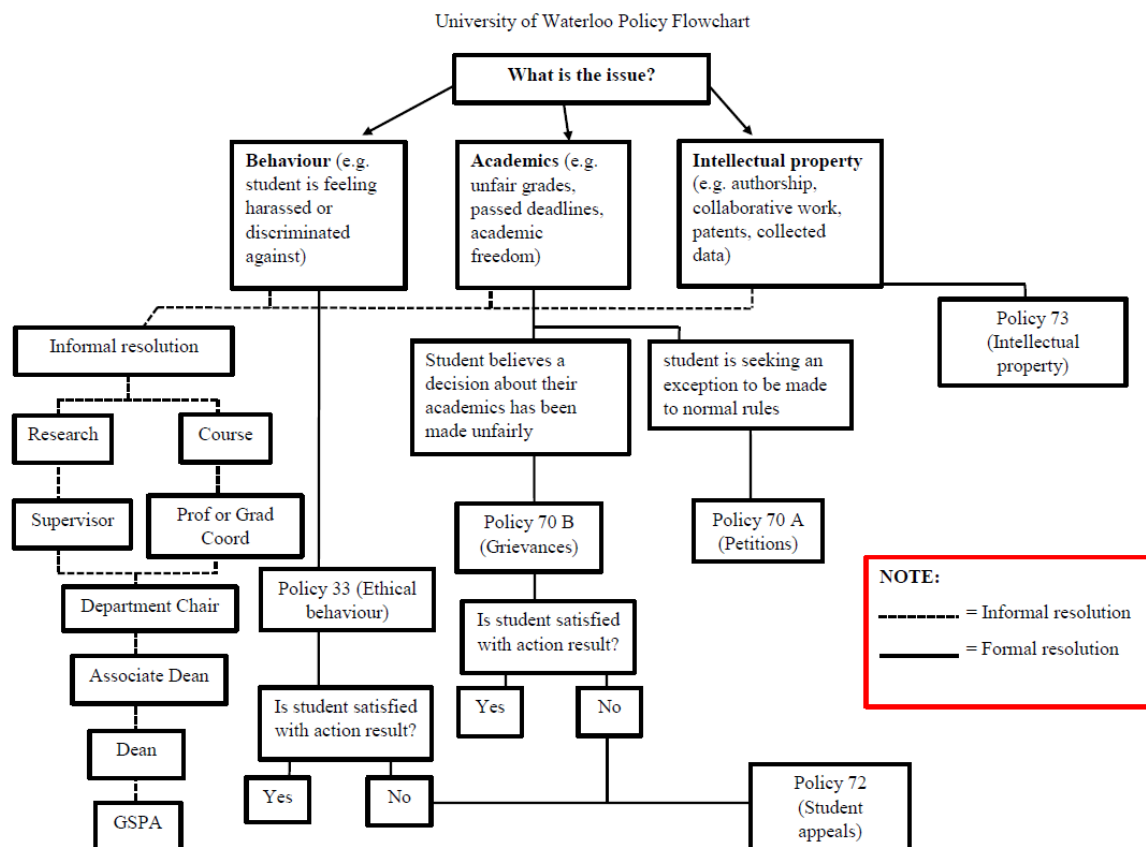
The following report outlines the processes for individuals who have experienced instances or patterns of harassment, violence, or discrimination (including due to their race) at the University of Waterloo. This report lays out policies for handling complaints, the reporting process, resources, and outcomes for filing complaints.

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## What to Report

Should an individual experience harassment, violence, or discrimination, there are recourses laid out in UW policies. In this report, we focus mainly on problems that do not intersect with an individual's academic performance or experience, although we recognize that these interactions do carry power dynamics which may result in discrimination. The following flowchart developed by the Graduate Student Association at the University of Waterloo (GSA-UW) lays how to address issues of behavior or academics.



Acronym: GSPA is the Office of Graduate Studies and Postdoctoral Affairs

The university environment is a place full of stress and a complex landscape of power dynamics. These include those between professors and students, between students, and between colleagues, and from different levels of administration. Regardless of this, everyone deserves to be treated respectfully and fairly, and any deviation from this can and should be resolved to improve a person's experience at the university, no matter if it is the place for achieving a degree or a job position. For incidents that involve minor misunderstandings or behavioral challenges, informal solutions may be the best approach. As laid out in the chart above, these may involve a conversation between the individuals involved, or seeking mediation along a ladder of authority figures. In a class or research setting, the professor or lab manager (or principal investigator) may be able to mediate a conversation and find a solution. From there, department graduate/undergraduate coordinators, department chairs, faculty deans, and so on can be consulted.

More serious issues can be resolved in the informal process, at least initially, if it is within the complainant's comfort level. It is important to keep in mind, when reflecting on the severity of an incident or the impact it may have had, that the Ontario Human Rights Code lays out in clear terms the rights of everyone to be treated fairly in all settings and interactions:

“Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.”

Violations of this Code can be brought to the Ontario Human Rights Commission. For the gray area between a small or serious complaint, University of Waterloo Policies provide a framework for what is unacceptable behavior, and how to seek redress.

## Asking for Support and Advice

Before entering the formal solution process, laid out in the diagram above, it is recommended to seek support in navigating the complex UW policies. Offices and Individuals are available for consultation, and there appear to be (some) opportunities to meet with members of the same gender or racial group, if that would make someone more comfortable. These offices can also assist in the drafting of a formal complaint. Reports and requests can be made to the following offices/contacts:

- [The Equity Office](#)
  - Contact:
    - [equity@uwaterloo.ca](mailto:equity@uwaterloo.ca)  
519-888-4567 ext 40439
    - Gina Hickman, Directory of Equity  
[gina.hickman@uwaterloo.ca](mailto:gina.hickman@uwaterloo.ca)  
519-888-4567 ext. 48633
- [Counselling Services](#)
  - To book an appointment:
    - 519-888-4567 ext. 32655.
    - \*If you are out of the province, please seek care where you are or contact [EmpowerME](#) at 1-833-628-5589.
- [Conflict Management and Human Rights Office \(CMaHRO\)](#)
  - Specific Contact:
    - Jeremy de Boer  
Senior Case Consultant Conflict Management & Human Rights  
[jdeboer@uwaterloo.ca](mailto:jdeboer@uwaterloo.ca)  
519-888-4567 ext. 49526

## URGE Program - University of Waterloo Wetland Pod - Session 2 Complaint Report

- To book and appointment with Jeremy, please email:  
HRElgen@uwaterloo.ca
- [AccessAbility Services](#)
  - Contact:
    - To schedule an appointment or to contact the virtual Front Desk, please phone 519-888-4567 ext. 45231 or ext. 47922 or e-mail access@uwaterloo.ca.
    - Importantly, AccessAbility explicitly says that they can help someone get official accommodations if they are suffering after experiencing a racist incident or continued racist harrassment.
- [University Safety Office](#)
  - Contact:
    - Safety Office, Commissary Building  
Phone 519 888 4567 Ext. 33587  
Email: safety@uwaterloo.ca
- [University Police Services](#)
  - Contact:
    - Direct Line: 519-888-4911  
On Campus Extension: 22222  
Email: uwpolice@uwaterloo.ca  
Our office: Located in the Commissary building on Ring Road just north of the Davis Centre
- [Waterloo Undergraduate Student Association \(WUSA\)](#)
  - Complaints Contact:
    - [Incident Reporting Form](#)
    - WUSA Services Manager
      - Currently Brendan Lowther  
(226) 243-6643  
bllowthe@wusa.ca
    - WUSA Associate Vice President for Equity
      - Currently Ayesha Masud  
equity@uwas.ca
- [Graduate Student Association UW \(GSA-UW\)](#)
  - Contacts:
    - GSA President
      - Currently David Billedeau  
[gsa-president@uwaterloo.ca](mailto:gsa-president@uwaterloo.ca)
    - Student Wellness Coordinator
      - Currently Ashley Ryan

[gsa-wellness@uwaterloo.ca](mailto:gsa-wellness@uwaterloo.ca)

- Equity Coordinator
  - Currently Aaron Francis  
[gsa-equity@uwaterloo.ca](mailto:gsa-equity@uwaterloo.ca)
- Executive Manager
  - [gsa-gm@uwaterloo.ca](mailto:gsa-gm@uwaterloo.ca)
- International Students Coordinator
  - Currently Navya Nair  
[gsa-international@uwaterloo.ca](mailto:gsa-international@uwaterloo.ca)

## Confidentiality

When seeking advice, or disclosing to others an experience or interaction, individuals should keep in mind the limitations of maintaining confidentiality. Of the services listed above, Counselling Services and CMaHRO can offer the strictest [confidentiality](#). Importantly, if a complaint falls under the jurisdiction of the *Ontario Human Rights Code* or the *Occupational Health and Safety Act*, disclosing to someone other than Counselling Services and CMaHRO likely obliges them to report, and they cannot promise confidentiality. As a principal laid out in UW [Policy 33](#), confidentiality cannot generally be assured if:

“An individual is at risk of self-harm; or

There are reasonable grounds to believe that others in the University Community or the wider community are at risk of harm.”

## Information on UW Policies:

### [Policy 33 - Ethical Behavior](#)

See Policy for principles and steps for handling violations and getting redress. The Policy was last updated in 2010, and is currently being redrafted. The current policy drafting committee has documents [here](#), as well as a link to the [Proposed Draft Policy 33](#). The committee has provided a useful document on [navigating the reporting process for Policy 33](#). The newly proposed Policy 33 is much more comprehensive than the currently active policy. The current policy is bare-bones, and many important details are lacking, such as guidelines for investigations, transparency, support systems, and protections from retaliation.

### [Policy 34 - Health, Safety and Environment](#)

Referred from Policy 33, Policy 34 specifically addresses cases where the complainant was subject to violence, or other safety violations. The contacts listed above are the best way to determine which Policy may have been violated in an incident or pattern of incidents. The policy was last revised in October 2020 and has a mandatory review date for October 2021.

## [Policy 42 - Prevention of and Response to Sexual Violence](#)

For instances where a complainant was subject to sexual harassment or violence, Policy 42 may be referenced. To seek help in filing a complaint:

Contact the [Sexual Violence Prevention and Response Office](#)

- Amanda Cook, Director, Sexual Violence Prevention and Response  
amanda.cook@uwaterloo.ca  
519-888-4567 ext. 46869  
Location: COM 101B
- Meaghan Ross, Sexual Violence Response Coordinator  
m23ross@uwaterloo.ca  
519-888-4567 ext. 40025  
Location: COM 101C

Quoting their website, “Coming to SVPRO does not automatically initiate an investigation; however, if you wish to pursue a formal complaint, SVPRO can support you through the process.” The Policy was last updated in June 2019 and has a mandatory review date for June 2021.

## [Policy 71 - Student Discipline](#)

In the case that a complainant was harmed by a fellow student, and the actions do not under those laid out under Policy 33, the complainant should contact the associate dean of the relevant faculty. This Policy was last updated in May 2019.

## Mechanisms for Reporting

The following section lays out the procedure for filing a formal complaint under the proposed new version of Policy 33, ideally after having consulted with some of the support offices listed [above](#). Importantly, for violations of Policy 33 and reporting Ethical Misconduct, there is a **1 year limit** for the report being filed, after the incident in question. The current version of Policy 33 does not lay out in detail the process for filing a complaint, or the investigation process and outcomes.

## Filing A Complaint

The following section outlines the procedure for filing a formal complaint under the proposed updated version of Policy 33. The following table, taken from the proposed version, provides a summary of the process.

## Formal Complaint Procedure:

<b>Who</b>	<b>When</b>	<b>What</b>
Any Member of the University	Within one year of the incident or last of a series of incidents. Deadline may be extended where there are compelling reasons or the Complaint is of Sexual Violence,  (s.2.6: Time Limit)	Provide the Complaint and any other relevant information to the Director of Complaints Management
Director of Complaints Management	On receipt of Complaint  (s.3: Pre-Investigation Stage)	Undertake a preliminary assessment to determine whether the complaint will be investigated and whether accommodations and or interim measures are necessary.
Director of Complaints Management	Within 7 business days of having received the Complaint.	Advise Complainant whether the complaint will be investigated. If the complaint will proceed, notify the Respondent and Decision-maker of the complaint and the decision to investigate.

### How To File a Complaint

- Complaints must be submitted in writing to the Director of Complaints Management
  - We were unable to find the name, office location, phone number, or email of the Director of Complaints Management. It is unclear therefore how to actually file a complaint. It seems likely that one would have to reach out to one of the offices mentioned above to get that contact information.
  - Though no formal complaint process is apparent, an email can be sent to the listed contact CMaHRO requesting to file a complaint
- See section 2.5 in this [link](#) for information on what should be included in this

written complaint

- Time limit:
  - Complaints must be filed within one year of when the ethical misconduct occurred. This can be overridden in the following cases
    - There is a compelling reason
    - The complaint regards sexual violence

## Confidentiality

- The complainant must provide their name and contact information when filing a complaint with the Director of Complaints Management
- This information will be treated with discretion and confidentiality
- There does not appear to be an option to submit a complaint anonymously

## Ability to Have an Advocate

- Witness, complainants and respondents have the right to be accompanied by a support person at all meetings
- The Employee and Student Representative Associations (WUSA and GSA) can assist in finding a suitable support person
- The CMAHRO office can aid in choosing between informal or formal solutions, and can aid in conflict resolution, through either pathway

## Investigation Process

This section provides an overview of the investigation process for the proposed Policy 33. For more information, refer to this [link](#). The current version of Policy 33 does not lay out the investigation process. The following table, taken from the proposed version of Policy 33, provides a summary of the process.



## If Investigation Proceeds:

<b>Who</b>	<b>When</b>	<b>What</b>
Director of Complaints Management	Upon Decision to Investigate	Advise parties of the proposed investigator, develop Mandate for Investigation.
Investigator	Within 90 business Days of the Decision to Investigate	Undertake investigation and provide an Investigation Report to the Director of Complaints Management and Decision-maker
Decision-maker	Within 7 business days of receiving the Investigation Report	Meet with each party to provide a summary of the investigation findings and determination.

## Corrective Action:

<b>Who</b>	<b>When</b>	<b>What</b>
Decision-maker	Within 14 business days of having met with the respondent regarding the results of the Investigation.	Decide whether Corrective Action, including Discipline, is appropriate. Communicate Decisions to the Complainant and Respondent and to the Director of Complaints Management.

### Pre-investigation Stage

- Once the complainant has filed a complaint, the Director of Complaints Management will begin a preliminary assessment, in consultation with the assessment team
- This will include gathering information, categorizing the allegations, and taking any immediate action required
- Within 10 days of the start of the assessment, the Director of Complaints Management will decide whether or not to proceed with an investigation

## Investigation

- In the case of an investigation, the complainant, respondent and decision maker will be provided with written notification (ideally will occur in person)
- The Assessment Team will define the mandate of the investigation (scope) and will propose an Investigator. The Complainant and Respondent have the opportunity to request a different Investigator due to bias (for more information on selection of the investigator, refer to this [link](#))
- The investigation will last no longer than 90 business days, unless there are compelling reasons for an extension
- The final report will outline the findings, a determination of whether ethical misconduct has occurred, and recommendations on corrective action

### Police Involvement:

- There are a few scenarios where local police will be involved in the process
  - If the complaint is part of an ongoing criminal investigation
  - If the complaint includes allegations that are also being considered by local police
- The Director of Police Services at the University of Waterloo will be called on for assistance by the Director of Complaints Management if the complaint includes subject matter relating to safety, security and breaches of the law.

## Decision

- Decision makers will decide the university's response to findings of an investigation
- The following table provides information on decision makers (taken from proposed updated version of Policy 33)
- Note that the respondent refers to the individual who the complaint has been filed against

<b><i>Respondent</i></b>	<b><i>Decision-maker</i></b>
Staff member (including student employees)	Least senior Executive Council member to whom the person or their unit reports
Faculty member (including regular and non-regular appointments)	Faculty Dean
Postdoctoral fellow	Faculty Dean
CUPE Local 793 member	Associate Provost, Human Resources
Executive Council member (except the President)	President or their designate
The President	Chair of the Board of Governors or their designate
*If a Respondent falls under multiple categories (for example, a student who is also an employee, a staff member with a teaching appointment, or a faculty member with a staff appointment), the Decision-maker is determined according to the capacity that the person was acting in during the alleged misconduct.	

## Corrective Action

- There is a wide range of corrective actions that can take place, including discipline, education/training and structural changes to a workplace. Section 8.8 of the proposed Policy 33 ([link](#)) provides additional information
- The investigation may also identify systemic issues that need to be addressed by the University
- The currently active version of Policy 33 has no such language, so it is unclear what form corrective action could take

## Protection from Retaliation

- Section 8.5 of the proposed [Policy 33](#) says that retaliation against a complainant or any participant in the investigation process is itself a violation of Policy 33.
- The currently active version of Policy 33 has no such language, so it is unclear what discretion is applied to consider retaliation a violation of the policy.

## Repeated Complaints

- There is no change to the investigation procedure when there is a repeated complaint against the respondent.
- Repeated complaints will be considered by the decision marker when determine the corrective action required

## Record Keeping

- WatClass is the classification scheme and retention schedules for all Waterloo Records. It is divided into 12 functions, each with subsections. The relevant section for reporting ethical misconduct is Health Safety and Security
- Records will be kept by the Director of Complaints Management in accordance with [Policy 46](#)
- Records include the complaint, the investigation report, the decision and any other related documents
- The retention time of records vary depending on what category the complaint falls into
- Refer to this [link](#) for more information

### HS07L-Human Rights Complaint Files

- This deals with complaints filed to the Conflict Management and Human Rights Office (CMAHRO) about infringements of the Human Right Code. Does not include complaints that are sent to the Ontario Human Rights Tribunal
- Retention times
  - Indefinite: for all files relating to staff
  - Until closure of the case: all other files

### AD70- Legal Proceedings

- This is for complaints that are sent to Ontario Human Rights Tribunal
- There is no link to a webpage for more information about this

### HS05- Conflict, Unethical Behaviour, and Human Rights Consultations

- For “conflicts, possible human-rights-related infringements, and other forms of unethical behaviour” that are sent to the CMAHRO
- Retention: 1 year after the closure of the case

### HS04- Conflict and Unethical Behaviour Case Files

- For records sent to CMAHRO regarding “allegations of non-human-rights-related unethical behaviour under Policy 33-Ethical Behaviour”
- Retention: 5 years after the closure of the case

## Appeal Process

- Both the complainant and the respondent may appeal any correction action decisions
- For students, their rights and the process for doing so are governed under [Policy 72- Student Appeals](#)

## Community Input on Policies and Procedures

### Reviewing and Revising Policy

The UW Secretariat is the point of contact for efforts to review and renew policy. [Policy 1](#) lays out the framework for this, and specifies that policies should be reviewed by the relevant committees every 5 years. Policies concerning students are reviewed by:

- [Undergraduate Student Relations Committee \(USRC\)](#)
  - Student members of this committee are the WUSA President; WUSA VPs for Operations and Finance, Student Life, and Education; and 3 students appointed by WUSA, two of whom will be undergraduate student senators
  - Contacts for WUSA can be found above.
- [Graduate Student Relations Committee \(GSRC\)](#)
  - Student members of this committee are the GSA President and 4 students appointed by the GSA, including the Speaker of the GSA Council

General questions about UW policies or requests to participate or provide input can be made to:

- [uw.policy@uwaterloo.ca](mailto:uw.policy@uwaterloo.ca)
- Nadia Singh  
Associate University Secretary  
[nadia.singh@uwaterloo.ca](mailto:nadia.singh@uwaterloo.ca)  
519-888-4567 x32225

Specific to Policy 33, the Policy is classified as impacting Faculty and Staff (FS), so the ongoing revision of this policy is not handled by the USRC or GSRC: instead, a special policy committee has been struck, which would include two members appointed by the UW President, two by the Faculty Association, and two by the Staff Association (and, if considered necessary by the President, one by CUPE Local 793 and/or one by WUSA and/or one by the GSA).

Violation data for the policies discussed above are not publically available.

## Problems and Criticisms of UW Policy

Aside from the regular 5-year renewal cycle for all UW policies, it appears that some policies are updated more regularly, and this process goes through the relevant committees listed in the section above. It does not seem that students outside of these committees can trigger a policy review process or call for a town hall at the university level. Thus, students seeking to change these policies should contact the student representatives on the GSRC or USRC, mainly the student leaders in the GSA (Graduate Student Association) or WUSA (Waterloo Undergraduate Student Association). The GSA does involve the graduate student body in policy feedback, as the sitting GSRC member will present the policy draft at a meeting of the [GSA Council](#), where students from each department can provide feedback or ask questions.

As part of the preparation of this report, we spoke to individuals with experience navigating the UW complaint process. As we have noted in comment of Policy 33 above, the difference between the current policy and the proposed policy is stark, and it appears that many problems have been addressed in the proposed policy. That said, some structural problems can be embedded in people at various levels of power at UW and so problems can persist even after policy changes.

An individual we spoke with highlighted their criticisms of the complaint process:

- After submitting a complaint, there was no formal process to see the status of that complaint. Part of this problem appears to be that while the CMAHRO office is the point of contact for initiating a complaint, the decision maker varies widely based on the type of incident or the status of the complainant.
- Related to the point above, because the decision maker varies with the level of the complainant within the university power structure, there may be parts of the university (departments, offices, labs) where those in power do discourage complaints, or actively cause harm. Further, since the currently active Policy 33 has no language condemning retaliation, complainants could be punished with further harassment, or impacts to their research, teaching, or award opportunities.
- There was no process to ensure that complaints were dealt with in a timely manner. The current policy does not provide timelines for any steps of the complaint process. The proposed update to Policy 33 does lay out some timelines (see Table below), such as that the investigation must be completed within 90 days, and that the decision maker has to inform all parties involved of the outcomes of the investigation within 7 days.

## If Investigation Proceeds:

<b>Who</b>	<b>When</b>	<b>What</b>
Director of Complaints Management	Upon Decision to Investigate	Advise parties of the proposed investigator, develop Mandate for Investigation.
Investigator	Within 90 business Days of the Decision to Investigate	Undertake investigation and provide an Investigation Report to the Director of Complaints Management and Decision-maker
Decision-maker	Within 7 business days of receiving the Investigation Report	Meet with each party to provide a summary of the investigation findings and determination.

## Corrective Action:

<b>Who</b>	<b>When</b>	<b>What</b>
Decision-maker	Within 14 business days of having met with the respondent regarding the results of the Investigation.	Decide whether Corrective Action, including Discipline, is appropriate. Communicate Decisions to the Complainant and Respondent and to the Director of Complaints Management.

- Similarly, if problems are embedded with individuals in the university power structure, the current Policy 33 does not mention if repeated offences will warrant more serious repercussions. Again, the university power structure is integral to the decision-making process, so complaints need to be directed higher up the structure to try to address a problematic or harmful individual. The University of Waterloo does not have an Ombudsperson, or another kind of watch dog office that can hold those in power to account.
- Finally, despite the heartening improvements proposed for Policy 33 in its current draft, it appears that there are many bureaucratic barriers in place preventing the student body at large and students or staff who have complaints to engage with an office like CMaHRO and provide regular feedback on the complaint process.

## Complaints and Reporting Policy Research for Wetland Soils & Greenhouse Gas Exchange Lab, University of Waterloo

Enjoyable, high-quality research can only be conducted when you feel safe, secure, and supported. All group members are thus dedicated to a harassment-free experience for everyone, regardless of gender identity and expression, sexual orientation, disability, physical appearance, body size, race, age, and/or religion. We do not tolerate harassment by and/or of members of our group in any form, and we ask all members of the community to conform to the following Code of Conduct:

- All communication, be it online or in person, should be appropriate for a professional audience, and be considerate of people from different cultural backgrounds. Sexual language and imagery is not appropriate at any time.
- Be kind to others and do not insult or put down other group members.
- Behave professionally. Remember that harassment and sexist, racist, or exclusionary jokes are not appropriate.
- Harassment includes offensive verbal comments related to gender, sexual orientation, disability, physical appearance, body size, race, religion, sexual images in public spaces, deliberate intimidation, stalking, following, harassing photography or recording, sustained disruption of discussions, inappropriate physical contact, and unwelcome sexual attention.
- Participants asked to stop any harassing behavior are expected to comply immediately.
- Contribute to discussions in meetings with a constructive, positive approach
- Be mindful of talking over others when discussing in groups, and be willing to hear out the ideas of others.

In addition to making group members feel safe and secure, diversity and inclusivity has numerous benefits to us all. Put simply, the greater the mix of people in our group, the greater the mix of skills, experiences, perspectives, and ideas we can collectively draw on. But the benefits of diversity and equality cannot be fully achieved without creating an inclusive environment.

Maria Strack will discuss the Code of Conduct with lab members who violate these rules, no matter how much they contribute to the Wetland Soils & GHG Lab, or how specialised or needed their skill set. If inappropriate behaviour persists after this initial discussion, formal processes, in line with the University of Waterloo work practice policies, will commence. To report an issue, please contact Maria Strack; all communication will be treated as confidential. If you do not feel comfortable contacting Maria directly, please feel free to contact the Department Chair, Richard Kelly ([rejkelly@uwaterloo.ca](mailto:rejkelly@uwaterloo.ca)).