



## **SD 42 PROCEDURE: 7210.2**

### **INVESTIGATION PROCEDURE: WORKPLACE DISCRIMINATION OR BULLYING AND HARASSMENT**

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#### **1. HOW AND WHEN INVESTIGATIONS WILL BE CONDUCTED**

Investigations at School District No. 42 will be conducted internally or externally. In complex or sensitive situations, an external investigator will be hired.

Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances;
- Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations;
- Be sensitive to the interests of all parties involved, and maintain confidentiality to the extent possible in the circumstances;
- Be focused on finding facts and evidence and, unless the School District is precluded from doing so, will include interviews with the complainant, respondent and any witnesses who may have evidence that is relevant and capable of proving or disproving a material fact in dispute in the investigation;
- Incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process, including union representation where applicable.

#### **2. WHAT WILL BE INCLUDED**

Ultimately, the purpose of the investigation is to determine what happened. If the complainant and the respondent agree on what happened, then the School District will not investigate any further, and will determine what corrective action to take, if necessary. This informal process will be documented, and records kept.

In addition to interviews of the complainant, respondent, and witnesses described above, the investigator will also review any evidence, such as electronic communication, handwritten notes, photographs or physical evidence such as vandalized objects. Based on a careful consideration of the available evidence, the investigator will make a determination whether bullying and harassment or discrimination occurred, in accordance with the definitions of bullying and harassment and discrimination in School District Policy: 7210.

#### **3. ROLES AND RESPONSIBILITIES**

The Manager of Health, Safety & Wellness is responsible for ensuring workplace investigation procedures are followed.

The Principal/Supervisor will liaise with Human Resources to undertake and participate in investigations.

Workers are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.

If external investigators are hired, they will conduct investigations and provide a written report with conclusions to the Director of Human Resources or designate.

#### **4. FOLLOW-UP**

The respondent and complainant will be advised of the investigation findings by the Director of Human Resources or designate.

Following an investigation, the Manager of Health, Safety & Wellness will review and revise if necessary, workplace procedures to prevent any future discrimination, bullying and harassment incidents in the workplace.

Appropriate corrective actions will be taken within a reasonable time frame.

In appropriate circumstances, workers may be referred to the employee assistance program or be encouraged to seek medical advice.

#### **5. RECORD-KEEPING REQUIREMENTS**

The School District expects that workers will keep written accounts of incidents to submit with any complaints. The Human Resources Department will keep a written record of investigations, including the findings. Records will also be kept for any reported discrimination or bullying and harassment incidents that have been resolved without a formal investigation.

#### **6. ANNUAL REVIEW**

These procedures will be reviewed annually.

All workers will be provided with a copy at the new worker orientation training session. Electronic copies of the procedures are available on the School District website.

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