

Options to pursue formal complaint of harassment, bullying, or discrimination

Internal BCIT Complaint Options

An individual can choose only one formal complaint process at BCIT to deal with the same issue. Anyone considering pursuing a formal complaint is encouraged to discuss their options with their union representative or student advocate. This document is intended to provide only a very brief overview of each option. Note that when appropriate individuals are encouraged to first attempt to address their concerns informally prior to filing a formal complaint. If there is any conflict with legislation, BCIT policies, or collective agreements, those documents will prevail.

Complaint Option	Description	Pros & Cons	For more information
Pursue through the Respect, Diversity, and Inclusion (RDI) Office under BCIT's <i>Harassment and Discrimination Policy</i> .	<ul style="list-style-type: none"> • Applicable to students, staff, and faculty. • Written Complaint required and shared with Respondent. • Must usually be filed within one year of the incident. • Policy allows for informal resolution processes if both parties agree. • Investigation involves interviewing witnesses, and reviewing evidence. • Complainant and Respondent will receive a confidential investigation report outlining the evidence, and determining whether, on a balance of probabilities, the H&D Policy was violated along with reasons for that finding. • Filing a complaint does not mean something is “on the record.” • If Respondent is found to have violated policy the report will be sent to Human Resources/Labour Relations (or to Student Success if Respondent is student) to determine outcomes/discipline. 	<ul style="list-style-type: none"> • Interim measures possible during investigation. • Investigator can determine, only whether the H&D policy was violated and cannot consider other matters. • Investigation may take a number of months. • Parties receive detailed report of investigation. • Parties cannot discuss the investigation or share the report with anyone other than their representative. • Complainant will not be advised of what discipline (if any) is issued. 	<p>Contact:</p> <ul style="list-style-type: none"> • Respect, Diversity & Inclusion Office respect@bcit.ca <p>See:</p> <ul style="list-style-type: none"> • Harassment and Discrimination Policy 7507 • Harassment and Discrimination Procedure 7507 • Harassment and Discrimination Complaint Process FAQ

The British Columbia Institute of Technology acknowledges that our campuses are located on the unceded traditional territories of the Coast Salish Nations of [xwməθkwəy̓əm](#) (Musqueam), [Skwxwú7mesh](#) (Squamish), and [səlilwətaʔt](#) (Tseil-Waututh).

Complaint Option	Description	Pros & Cons	For more information
<p>Pursue through the Student Life Office under the <i>Student Code of Conduct (non-academic) Policy</i>.</p>	<ul style="list-style-type: none"> • Only reports of student conduct will be accepted (faculty or staff behaviour not included). • Anyone can make a report of a breach of the policy, not just the recipient of misconduct. • Written report submitted via incident report form. • Policy covers a wide range of behaviours, so behaviour does not necessarily have to meet the same definitions as in the Harassment and Discrimination Policy to be considered investigated or acted upon. • Respondent will be made aware of the nature of allegation. • Alternative or informal dispute resolution possible. • In most cases, conduct is investigated, including interviewing individual who made the report, the respondent, witnesses, etc. • If student is found to have violated the policy, administrative resolutions may be applied (e.g. educational sanctions; loss of privileges; recommendation for suspension to the President; etc.) • Complainant will only know information about the outcome that is essential to their study and student status at BCIT (outcomes are confidential). 	<ul style="list-style-type: none"> • Conduct needing immediate attention will be addressed quickly with interim measures while investigation is ongoing (e.g. no-contact requirement put in place). • Full investigation may take multiple weeks/months depending on complexity. • Complainant will not receive written report of the investigation and, typically, will not be advised of Respondent discipline. • Investigating office is same office responsible for deciding on and implementing outcomes/discipline. 	<p>Contact:</p> <ul style="list-style-type: none"> • Student Life Office <p>See:</p> <ul style="list-style-type: none"> • Student Code of Conduct (Non-Academic) Policy 5102 • Procedures for Violations of the Student Code of Conduct (Non-Academic) • Online Report Form for reporting Student Conduct concerns
Complaint Option	Description	Pros & Cons	For more information
<p>Pursue through Human Resources (HR) and/or Labour Relations (LR).</p>	<ul style="list-style-type: none"> • Employees or students can file against employees. • Issues must usually be raised within three (3) to six (6) months of occurring, depending on the circumstances. • Written complaint is not required. • Complainant and Respondent required to meet with HR Business Partner and/or LR Consultant to gather facts, relevant documents/materials, etc. • Investigation involves interviewing witnesses, assessing the credibility of all parties involved, reviewing evidence, considering any and all relevant and applicable BCIT or departmental policies and procedures, and researching relevant case/arbitral law for the purpose of making recommendations/drawing conclusions. • Filing a complaint does not mean something is “on the record.” • If Respondent is found to have violated a policy or procedure, Human Resources/Labour Relations determines outcomes/discipline. 	<ul style="list-style-type: none"> • Interim measures possible during investigation. • Investigations completed in timely manner. • Parties do not receive a report of evidence/ findings. • Complainant will be advised of the conclusion of the investigation, not what discipline (if any) the Respondent receives. • If the issue/incident involves a breach of a provision in collective agreement, a grievance may be advised as a more appropriate forum for resolution. 	<p>Contact:</p> <ul style="list-style-type: none"> • Human Resources

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Individuals who wish to pursue a formal complaint under BCIT's <i>Sexual Violence and Misconduct Policy</i> can choose which complaint option to pursue.	<ul style="list-style-type: none"> If the Respondent is a BCIT student or employee, a complaint can be made under Policy 7507, Harassment and Discrimination through the Respect, Diversity, and Inclusion Office. If the Respondent is a BCIT student, a complaint can be made under Policy 5102, Student Code of Conduct (Non-Academic) through the Student Life Office. If the Respondent is a BCIT Student living in Housing (where the incident occurred in Housing), a complaint can be made under the Residence Standards and Regulations; If the Respondent is a BCIT employee, report to the appropriate supervisor, manager, and/or human resources for investigation. 	<ul style="list-style-type: none"> See other sections of chart for further detail on process and limitations of each option. 	<p>Contact:</p> <ul style="list-style-type: none"> Senior Director of Safety, security, and emergency management <p>See:</p> <ul style="list-style-type: none"> BCIT's Sexual Violence & Misconduct webpage Sexual Violence and Misconduct Policy 7103 Response to Sexual Violence and Misconduct Procedure 7103-PR1

Complaint options external to BCIT

Complaint Option	Description	Pros & Cons	For more information
Police or RCMP	<ul style="list-style-type: none"> Criminal activity can be reported for investigation. Limited to conduct that violates Criminal Code of Canada. Process may include gathering evidence and cross-examination of witnesses and complainant. May generate public records. A criminal conviction requires proof beyond reasonable doubt. 	<ul style="list-style-type: none"> Process is generally very slow and may take several years to complete. 	<p>Contact:</p> <ul style="list-style-type: none"> Delta Police 604-946-4411 Richmond RCMP 604-278-1212 Burnaby RCMP 604-294-7922 Vancouver Police 604-717-3321 North Vancouver RCMP 604-985-1311 <p>See:</p> <ul style="list-style-type: none"> How to Report a Crime
Civil Action through the court system	<ul style="list-style-type: none"> A lawsuit can be filed in court for compensation by a Complainant whose rights have been violated. There are generally strict time limits. Burden of proof for a civil case is lower than for a criminal one. Process includes cross-examination of all involved parties. Generates public records. 	<ul style="list-style-type: none"> Not available to unionized employees if matter is covered by collective agreement, as they would instead file grievance. Process is usually slow and may take several years. May result in costly legal fees. 	<p>Contact:</p> <ul style="list-style-type: none"> An attorney for legal advice (at your own expense) <p>See:</p> <ul style="list-style-type: none"> The Law Society of BC provides legal resources for the public. Court BC Online Help Guide

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Pursue through the BC Human Rights Tribunal under the <i>Human Rights Code</i> (BC).	<ul style="list-style-type: none"> • Written complaint required. • Must normally be filed within one year. • Tribunal can only determine matters related to harassment or discrimination related to a personal characteristic. (e.g. ancestry, disability, religion, gender, family status etc.) • Mediation/settlement options may be available. • If matter goes to a hearing the written decision will be public. 	<ul style="list-style-type: none"> • Process may take several years. • Either party is allowed to bring legal counsel but it is not required. 	Contact: <ul style="list-style-type: none"> • BC Human Rights Tribunal 604-775-2020 BCHumanRightsTribunal@gov.mb.ca See: <ul style="list-style-type: none"> • Complaint Process • BC Human Rights Code • BC Human Rights Clinic
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Pursue through Worksafe BC under the <i>Workers Compensation Act</i> .	<ul style="list-style-type: none"> • Only accepts complaints about violations of Workers Compensation Act including Workplace Bullying/Harassment. • Employees are expected to submit a complaint to their employer before submitting a complaint to WorkSafeBC. • WorkSafeBC will generally only inquire into allegations of workplace bullying/harassment where there are reasonable grounds to believe an employer has failed to address the issue. 	<ul style="list-style-type: none"> • Process only available to employees not students. • WorkSafeBC will not resolve or mediate disputes or conflicts but rather will ensure the employer conducted a fair investigation. 	Contact: <ul style="list-style-type: none"> • WorkSafeBC 1-888-276-3100 See: <ul style="list-style-type: none"> • Bullying & Harassment Information • Bullying & Harassment FAQ