



SUBJECT: Employee Complaints, Harassment and Whistleblower	POLICY NO: HR – 7	LAST REVISED: April 30, 2025
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Policy

The Saskatchewan Polytechnic Students' Association Inc. is committed to creating a workplace where all employees feel safe, respected, and supported. This policy provides a clear process for addressing employee complaints, handling workplace harassment, and reporting unethical or illegal activities (whistleblowing), while protecting individuals from retaliation. The aim is to ensure fairness, transparency, and accountability in dealing with workplace issues.

This policy applies to all employees of SPSA, whether full-time, part-time, contract staff, volunteers, and members of the Executive Council. This includes:

- General complaints of employees.
- Workplace harassment and discrimination.
- Whistleblowing of grave misconduct or fraud, and other illegal activities.

Definitions

1. ***Complaint***

An issue brought forward by an employee that pertains to a claim of unfair treatment, harassment, discrimination, or any violation of SPSA Policies.

2. ***Harassment***

The unwarranted behaviour, both verbal and physical, which degrades, humiliates, or intimidates a person based on characteristics of that individual, such as, amongst others, race, gender, religion, sexual orientation, disability, etc.

3. ***Whistleblower***

It may be an employee or any other person who, in good faith, reports serious misconduct, unethical conduct, or any violation of laws and regulations.

4. ***Reprisal***

Any adverse action taken against the employee reporting concerns, including termination, demotion, or harassment.

5. ***Good Faith***

Reporting concerns based on a genuine belief, although the concerns may later be proven to be unsubstantiated.

Procedure

Employee Complaint and Harassment Reporting Process

1. **Informal Resolution**

Employees are encouraged to first address concerns informally with their immediate supervisor or the individual involved. Open dialogue is encouraged to resolve issues at an early stage.

- a) If the issue is resolved, no further action is needed.
- b) If unresolved or if the employee feels uncomfortable addressing the issue directly, they may proceed with a formal complaint.



2. Formal Complaint Process

a) Complaints Involving Supervisors or General Staff

i. Submit Formal Complaint

The employee submits a written complaint using the standardized Employee Complaint Form, which can be completed online or submitted in PDF/paper format, to the General Manager or designated representative (if the General Manager is involved, the complaint goes directly to the President).

ii. Investigation

The General Manager will review the complaint and investigate, which may include:

- a. Interviewing the parties involved;
- b. Collecting evidence or documentation;
- c. Any other process deemed prudent by the General Manager.

iii. Resolution

The General Manager will provide a response to the complaint within 30 days. If the complaint is valid, appropriate corrective measures will be taken (e.g., mediation, disciplinary action, or otherwise).

iv. Extension

If more time is needed for the investigation, the employee will be notified with reasons for the delay.

b) Complaints Involving the General Manager

i. Direct Reporting

If the complaint involves the General Manager, the employee submits a written complaint detailing the issue directly to the President.

ii. Independent Investigation

The President will appoint an Independent Investigator or a neutral third party to handle the investigation. The General Manager will not be involved in the investigation process.

iii. Resolution

The Independent Investigator will submit findings to the President, and appropriate actions will be taken within 30 days. If more time is needed, the complainant will be informed in writing.

Whistleblower Process

1. What to Report

Employees are encouraged to report serious concerns related to:

- a) Financial misconduct: Fraud, embezzlement, or misuse of SPSA funds.
- b) Illegal activity: Violations of the law, such as corruption or criminal conduct.
- c) Unethical behaviour: Serious violations of SPSA policies or conflicts of interest.

2. How to Report

- a) The whistleblower can report concerns anonymously or by name to the General Manager, unless the General Manager is involved, in which case the report should be made to the President.
- b) If the concern involves the General Manager, the President will assign an Independent Investigator for an impartial review and investigation.



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3. Anonymous Reporting

Whistleblowers have the option to report anonymously. While anonymity will be respected, providing contact information may assist in the investigation and provide follow-up.

Protection from Retaliation

SPSA prohibits any form of retaliation against employees who report complaints or concerns in good faith. Retaliatory actions may include termination, demotion, or any adverse change in working conditions. If retaliation is found, disciplinary action will be taken against the responsible parties, which may include termination of employment.

Investigation Procedure

1. Confidentiality

All complaints and reports will be treated with the highest level of confidentiality. Only those directly involved in the investigation will have access to the details. The identity of the complainant or whistleblower will be protected, unless disclosure is required by law or is essential for conducting the investigation.

2. Fair and Impartial Process

Investigations will be conducted fairly, impartially, and without bias. If the investigation involves the General Manager or presents a conflict of interest, an independent third party will be assigned to handle the process.

3. Timelines

Investigations will typically be completed within 30 days. If the investigation cannot be completed within this time, the complainant or whistleblower will be informed of the reasons for the delay and an expected timeline for resolution.

4. Conclusion of Investigation

Upon conclusion of the investigation:

- a) If the complaint is substantiated, corrective actions (e.g., policy changes, training, or disciplinary actions) will be taken.
- b) If the complaint is found to be unsubstantiated, no action will be taken against the complainant, provided the report was made in good faith.

Appeal Process

1. Right to Appeal:

Following the conclusion of an investigation, either the complainant or the party(ies) against whom a complaint was made may request a one-time appeal of the decision.

2. Grounds for Appeal:

Appeals must be based on one or more of the following grounds:

- a) Procedural error that may have affected the outcome;
- b) New evidence that was not available during the original investigation;
- c) Evidence of bias or conflict of interest that materially affected the decision.

3. How to Appeal:

- a) Appeals must be submitted in writing within 10 business days of the decision notification.
- b) Appeals are submitted to the President (or an alternate Executive Council member if the President is directly involved).
- c) An External Arbiter will be appointed to review the appeal independently.



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4. Appeal Outcome:
 - a) The External Arbiter's decision is final.
 - b) The outcome of the appeal will be communicated in writing to all involved parties, subject to confidentiality considerations.

False Claims

SPSA recognizes that false or malicious reporting can cause harm. If an investigation reveals that a report was made in bad faith (i.e., with malicious intent or knowingly false information), the individual responsible may face disciplinary action, up to and including termination of employment. Good faith reports, even if unsubstantiated, will not result in any negative consequences for the reporter.

Transparency and Reporting

Follow-up: If the whistleblower or complainant provided contact information, they will be notified of the outcome of the investigation, subject to confidentiality constraints.

Policy Review

This policy will be reviewed annually by the Executive Council to ensure its effectiveness and compliance with current laws and best practices. Amendments or updates will be approved by the council and communicated to all employees.

Effective Date

This policy is effective as of the last revised date and supersedes any prior versions of HR Policy No. 7.