

# UBC Discrimination Complaint Process

## STUDENT COMPLAINTS

### Step 1: Identifying Issues and Seeking Advice

1. **Identify the Issue:** If you believe you experienced discrimination, recognize this as a potential violation of [UBC's Discrimination Policy and Code of Conduct](#).
2. **Seek Advising:** Contact the UBC Equity & Inclusion Office to discuss the incident(s) you have experienced:
  - For UBC Vancouver (UBC) email: [humanrights@equity.ubc.ca](mailto:humanrights@equity.ubc.ca)
  - For UBC Okanagan (UBCO) email: [humanrights.ubco@equity.ubc.ca](mailto:humanrights.ubco@equity.ubc.ca)
  - Alternatively, complete the [Human Rights Advising Request Form](#) on the UBC Equity & Inclusion Office website.

A Human Rights Advisor will provide confidential impartial advising on options for resolution. Options will depend on the nature and circumstances of the incident, including whether (on the surface of it) the incident meets the threshold for/rises to discrimination based on a 3-point legal test affirming that (1) there are protected characteristics, (2) there are adverse effects, and (3) there is a demonstrated link between (1) and (2).

### Step 2: Exploring Resolution Options

1. **Informal Resolution Process:** An advisor will help you explore options under the Discrimination Policy, which may include an informal resolution process, aiming for amicable solutions.
2. **Formal Complaint:** If resolving the matter informally is not appropriate or desired, you then have the option to proceed with a formal, written complaint. In this process, an advisor will provide guidance on how to articulate and submit your concerns formally. The advisor can assist with identifying whether the concern should be addressed under the Student Code of Conduct or Discrimination Policy.

### Step 3: Understanding the Complaint Handling Process

1. **Discuss Expectations:** Consult with the Human Rights Advisor about the handling and potential resolution of your complaint, which will vary based on its nature and context.
2. **Complaint Assessment:** Once a formal complaint is filed, it is assessed by the Student Conduct Manager or Investigations Office (depending on applicable policy), to determine whether to investigate.
3. **Investigation Process:** In cases proceeding to investigation, an investigator will review the case, including collecting relevant evidence, conducting interviews, and applying the relevant policy and/or law, to determine if the behavior is discriminatory and violates the human rights code and the UBC Discrimination Policy.

#### Additional Information:

1. **Intent to File a Complaint:** Inform the Advisor if you are determined to file a complaint and express your interest in learning about the resolution outcome.
2. **Confidentiality:** Be aware that some investigation details and outcomes may be confidential under privacy laws.
3. **Human Rights Law:** Complaints are investigated within their context and based on relevant case law. Section 2.2 of UBC's Discrimination Policy states that "prohibited grounds under this Policy will be interpreted in the same manner as they are interpreted by the BC Human Rights Tribunal".

## FACULTY AND STAFF COMPLAINTS

Faculty and staff can also submit complaints to the Equity and Inclusion Office, which will provide guidance and direction, in consultation with Faculty and Employee Relations.

**Employees who belong to a union will follow steps 1 – 3 above, and they will have a fourth step:**

### Step 4: Understanding the Right to Representation by the Union

Faculty and staff have a right to representation from their respective employee union; if representation is sought, the union may provide support to their member(s) with a formal complaint, informal settlement of issues between parties, and/or a grievance.