



investigated. It is also useful if the dates and times are documented, especially if there has been a pattern of conflict.

4. Once the investigation is complete, the investigator will present a report, containing his or her assessment of the conflict and the reasons for the assessment, without delay to the Advisor. The report will be reviewed by the Director General, Client Services Bureau, then returned to the Advisor. The Advisor will then provide copies of the report to both parties involved in the conflict and advise them that they have 10 calendar days to provide their comments on the report in writing to the Advisor.
5. Once comments from all parties have been received, the Director General, Client Services Bureau, will decide, based on the investigator's report and any other pertinent information, whether an act of harassment has occurred. He or she will advise the parties in writing of the decision and of the reasons for the decision. The Director General, Client Services Bureau, will then recommend corrective measures, which will be transmitted to the responsible line manager(s) through the Advisor.

The findings of the investigation

The investigation can result in one of four findings:

1. The complaint is substantiated.
2. The complaint is partly substantiated.
3. The complaint is not substantiated.
4. The complaint is found to be vexatious or made in bad faith.

If the complaint is substantiated: A substantiated complaint is one that has met the legal standard or definition of harassment as outlined in the Treasury Board and departmental policies. If the

investigation finds a complaint to be substantiated, corrective action will be taken that may include disciplinary measures. Corrective measures may include any one or a combination of the following: a demand for a formal apology, an oral or written reprimand, a requirement to attend a training session about appropriate workplace conduct, a financial penalty, suspension without pay or termination of employment. A copy of the notice of discipline will be placed on the harasser's personnel file, like any other disciplinary infraction, for a period of two years.

If the complaint is partly substantiated: If the investigation finds fault on both sides, the behaviour of both parties will be evaluated separately, and any measures will be based on their respective conduct. Both parties may be directed to take part in training or counselling sessions. One or both parties could also be disciplined, depending on the circumstances of the conflict. If discipline is applied, a copy of the notice of discipline will be placed on the employee's personnel file.

If the complaint is not substantiated: Complaints may not hold up for many reasons. The investigator may not find enough evidence to back up the complaint. The investigator may find evidence of a problem, but that problem may not fit the legal standard or definition of harassment as outlined in the Treasury Board and departmental policies. Or the investigator may find that the complaint stemmed from a difference in perceptions and that the alleged harasser could not reasonably have known that the behaviour was offensive. If the investigator finds that there is not enough evidence to substantiate the complaint, no further action will be taken against the respondent, and no record will be made of the complaint in that person's personnel file.

If the complaint is found to be vexatious or made in bad faith: It is rare for someone deliberately to make a false claim because the process requires so much personal effort and investment of emotion and time. However, it can happen. Such cases are considered serious and the