

Example – Written Formal Complaint under the Respectful Work and Learning Environment/Sexual Violence Policy

Friday, July 15, 2022

Office of Human Rights and Conflict Management
201 Allen Building, University of Manitoba, Winnipeg, MB R3T 2N2 Canada

FORMAL COMPLAINT

Hello,

I, Jane Doe, am writing to make a Formal Complaint under the Respectful Work and Learning Environment Policy. I allege Charles Xavier has harassed me based on the Human Rights Code protected characteristic of religious belief, as listed in the policy.

Your name and contact information:

Jane Doe, Research Technician
Department of Top Secret Research
555 Anystreet Ave.
Winnipeg, MB RTT 090
OFFICE Phone: 204-000-0000 (preferred)
HOME Phone: 204-555-5555
Email: j.doe@gmale.ca

Respondent name and contact information:

Charles Xavier, Research Technician
Department of Top Secret Research
777 Shiny Building
University of Manitoba (Fort Garry Campus)
Winnipeg, MB R3T 2N2
Phone: 204-444-4444
Email: unknown

By way of background, I was speaking with several colleagues in the staff lounge of our department (room 9999, Shiny Building) between 12 and 1 pm, on Thursday, June 30, 2022. Mr. Xavier was present. We have been co-workers in the same department for roughly 9 years (I began my time in the office in October 2010; Mr. Xavier was already employed in the department).

The topic of the Canada Day celebrations of the following day emerged. Mr. Xavier asked everyone present what their plans were. I replied, "I don't have any plans." He persisted and asked why I wasn't celebrating Canada Day. I explained that my religious beliefs prohibited the celebration of nation states on such holidays as Canada Day. In reply to this comment, he laughed loudly and said to the group "Get a load of Jane everyone! She hates Canada, the greatest nation on earth! Can you believe this person? Pathetic."

This encounter left me feeling embarrassed and angry. I did not respond and instead left the staff lounge immediately. When I returned to work on Monday, July 4, I arrived at my office door to see a yellow piece of paper taped to it (attached). In red marker the page depicted a drawing of the maple leaf, and the words "No one's god is better than a democratic, secular nation, not even yours!"

I took the page immediately to our unit director, Dr. Morgan Sawyer. They explained that the caretaker (Frank Smith) had reported to them that at roughly 7:00 am on July 4, Frank witnessed Mr. Xavier tape the yellow page to my office door. Dr. Sawyer advised me to immediately seek the support of the Office of Human Rights and Conflict Management with this matter.

I have not approached Mr. Xavier about the incidents. Based on the behavior described above, I find him intimidating and hostile to my religious belief. I have made this complaint to hopefully prevent Mr. Xavier's behavior in the future.

Sincerely,

Signature

Jane Doe

Attachments:

1. Timeline of events, 2. List of witnesses, 3. Scan of yellow page taped to my office door.

Commented [A1]: Submit your complaint in writing to the Office of Human Rights and Conflict Management (human.rights@umanitoba.ca)

Commented [A2]: Prepare a written document labelled "Formal Complaint"

Commented [A3]: Identify whether you are contending the respondent(s) subjected you to discrimination, harassment, or sexual violence behaviors that the RWLE and Sexual Violence Procedure applies to. For discrimination and harassment allegations, identify what characteristic(s) you are claiming apply (e.g. ancestry, sex, sexual orientation, age, disability, etc.).

Commented [A4]: Confirm that you are filing a formal complaint under the Respectful Work and Learning Environment Policy.

Commented [A5]: State where you prefer to be contacted e.g. home or work, phone or via email

Commented [A7]: Identify respondent(s), address, faculty, status or position and phone numbers (if known). If your complaint is regarding more than one respondent, you must prepare a separate complaint for each respondent.

Commented [A6]: Identify yourself as the complainant and confirm your name, address, e-mail address, faculty, status or position, length of time at the University, phone numbers.

Commented [A8]: State how and when you first came in contact with the respondent(s), i.e. work, social, strangers.

Commented [A9]: State your relationship to the respondent(s), if any, i.e. supervisor, student, professor, etc.

Commented [A10]: Set out the chronology of any behaviour alleged to be discrimination, human rights-based harassment and/or personal harassment that occurred subsequent to the first incident.

Commented [A11]: Reference, in the body of your complaint, any persons you have spoken to about the behavior and the result.

Commented [A12]: Indicate if the respondent(s) has ever been confronted about the behavior.

Commented [A13]: Explain why it is that you have decided to file a formal complaint.

Commented [A14]: Sign your complaint before submitting it to the Office of Human Rights and Conflict Management.

ATTACHMENT 1: Timeline of events

Date and Time	Event	Comment
June 30, 2022 between 12:00 and 1:00 pm	I, Mr. Xavier and several other colleagues gathered in the staff lounge. Mr. Xavier asked everyone present what their plans were. I replied "I don't have any plans". He persisted, and asked why I wasn't celebrating Canada Day. I explained that my religious beliefs prohibited the celebration of nation states on such holidays as Canada Day. In reply to this comment, he laughed loudly and said to the group "Get a load of Jane everyone! She hates Canada, the greatest nation on earth! Can you believe this person? Pathetic."	<p>Witnesses present:</p> <ul style="list-style-type: none"> • Huey Max • Duey Max • Looey Max • Leia Organa • Priscilla Moon • Han Solo
July 4, 2022 between 6:00 and 7:00 am	Frank Smith allegedly witnesses Mr. Xavier taping the yellow page to my office door.	As reported to me by Dr. Tom Sawyer.
July 4, 2022 at approximately 8:20 am	I arrive to my office at 9994 Shiny Building and see the yellow page.	See attached scan of page.
July 4, 2022 at roughly 11:15 am	I meet with Dr. Sawyer to report the incidents. Dr. Sawyer tells me of the report from Mr. Smith.	

Commented [A15]: State the first time the behavior alleged to be discrimination, human rights-based harassment and/or personal harassment occurred (provide a date, if possible, or if you cannot recall the specific date your recollection as to when you believe the incident happened), where the alleged behavior occurred, who else was present (if anyone) and what exactly happened.

ATTACHMENT 2: Witness list

- Huey Max (coworker)
- Duey Max (coworker)
- Looey Max (coworker)
- Leia Organa (coworker)
- Luke Skywalker (coworker)
- Han Solo (coworker)
- Dr. Tom Sawyer (Director of our unit, 9991 Shiny Building)
- Mr. Frank Smith (caretaker in Shiny Building)

Commented [A16]: List on a separate piece of paper any names, addresses and phone numbers of witnesses or other persons you feel may have relevant information concerning your complaint

ATTACHMENT 3: Scan of yellow page posted on my office door

Description: Yellow page with a drawing of a tree. Under the drawing of the tree are the words, No one's God is Better than a Democratic, Secular nation, not even yours exclamation mark.

Commented [A17]: Provide any documents in your possession that you believe support the allegations set out in your complaint.

