
SEXUAL HARASSMENT – MEDIATION

Description: Records relating to the intake, review and resolution of harassment complaints where mediation is involved as defined by the University's *Sexual Harassment and Sexual Assault Policy*. Records may include correspondence (email, paper), forms, letters of request, notices of decisions, appeals, submissions and responses of complainants, respondents and witnesses, mediator reports and other related documentation.

Filing Guidelines: If a resolution is achieved through Mediation, the mediator must return all documentation generated by the Mediation and the signed resolution to the Advisor within 5 days of achieving a resolution. The Advisor destroys the mediator's notes and shall place the signed resolution in the Sexual Harassment Office confidential file for any period of time contemplated by the resolution, or for 5 years, from the date of signing, whichever is longer.

If there has been no resolution through Mediation, the mediator returns all records generated by the Mediation to the Advisor within 5 days. The Advisor immediately destroys all records related to the Mediation, except the applicable forms generated and Complainant's statement, if provided. If the Complainant does not ask for an investigation, these records are maintained in the Sexual Harassment Office confidential file for 5 years. Units shall transfer all documents to the Sexual Harassment Office after mediation is complete.

*If within the prescribed retention period, there are no further Complaints against the same Respondent, the Advisor shall destroy, in a secure manner, all records associated with the reporting process, at the end of the prescribed retention period. If, however, issues of a similar nature are brought to the attention of the Advisor prior to the expiry of the prescribed retention period, the records relating to the original matter shall be retained until the expiry of the prescribed retention period for the records related to the new issue.

MUNCLASS Function:	Governance (GV)
Responsible Unit(s):	Sexual Harassment Office
Retention:	<p>If resolution is achieved through Mediation: Date of Signing resolution + 5 years or any period of time contemplated by the resolution, whichever is longer.</p> <p>If resolution is not achieved through Mediation: Destroy all records related to the Mediation, except the applicable forms generated and Respondent statement, if provided (retain 5 years in the Sexual Harassment Office's confidential file).</p> <p>Select records may be retained longer, at the discretion of the Advisor.</p>
Disposition:	Destroy, a non-identifying account is retained for statistical purposes
Media:	Paper and/or electronic
Authority:	Anticipated Operational Use, <i>Newfoundland and Labrador Human Rights Act (HRA), 2010</i>