



POLICY 2.12

COUNCIL GOVERNANCE

Anti-Harassment

POLICY INTENT

To ensure a safe and positive working environment within AUSU by- detailing an expectation of appropriate behavior. AUSU is committed to creating a climate of understanding and mutual respect where each person is treated fairly.

POLICY RESPONSIBILITY

Council

POLICY

Definitions

2.12.01 Harassment is any action or objectionable conduct or comment that a person knows or should know would be unwelcome, offensive, embarrassing or hurtful. Harassment may result from one incident or a series of incidents. Harassment can occur between co-workers, management, staff, councillors, volunteers, consultants, AUSU members, or members of the public.

2.12.01.01 Harassment may include, but is not limited to:

- a) frequent angry shouting/yelling or blow-ups;
- b) regular use of profanity and abusive or violent language;
- c) physical, verbal or digital threats, intimidation, bullying;
- d) spreading gossip, rumours, negative blogging, cyberbullying;
- e) unsubstantiated criticism, unreasonable demands;
- f) insults, name calling, public humiliation;
- g) any communication that is demeaning, insulting, humiliating, or deliberately hurtful;
- h) comments that denigrate or stereotype the race, gender, age, religion, disability, gender preference, or sexual orientation of a party; or
- i) Inappropriate or unwanted comments or actions of a sexual nature.

2.12.01.02 Harassment does not include:

- a) legitimate performance/probation management;
- b) appropriate exercise of delegation of managerial authority;
- c) operational directives;
- d) a disagreement or misunderstanding;
- e) appropriate discipline;
- f) a single comment or action unless it is serious or has a lasting harmful effect or impact;
- g) rudeness unless it is extreme and/or repetitive; or

- h) mild sarcasm or playful teasing.

Policy Application

- 2.12.02 This policy applies to all councillors, staff, consultants, volunteers, and members and relates to conduct that may arise during AUSU business, activities and events. This includes but is not limited to, digital correspondence, telephone conferences, or any other activities where an individual is acting as a representative of AUSU.
- 2.12.03 This policy also applies to conduct that may occur outside of AUSU's business and events when such conduct adversely affects relationships within AUSU's work and business environment or is detrimental to the image and reputation of AUSU.

Responsibilities

- 2.12.04 Councillors, staff, consultants, volunteers, and members have a responsibility to proactively ensure that the working environment remains free from harassment. They must ensure that harassment is not condoned, tolerated or ignored.
- 2.12.05 Councillors, staff, consultants, volunteers, and members must strive to have a clear understanding of what constitutes harassment and what their responsibilities are in relation to this policy. Councillors, staff, consultants, volunteers, and members are responsible for respecting the dignity and rights of each other.

Reporting an Incident

- 2.12.06 AUSU strongly urges the reporting of all incidents of harassment. Individuals who believe they have experienced conduct that is contrary to this policy or who have concerns about harassment should file their complaints with the executive. Should the matter concern a member of the executive, a report should be made to the remaining members of the executive.
- 2.12.07 Because the line between acceptable and unacceptable social conduct is not always clear, AUSU encourages individuals who feel they are being or may have been harassed to, as a preliminary step, tell the alleged harasser that the behaviour is unwelcome and request that it stop immediately.
- 2.12.08 If the individual is uncomfortable with speaking to the alleged harasser directly, or has done so, but the perceived harassment has not stopped, the individual may file a complaint as per this policy.
- 2.12.09 AUSU prohibits retaliation against any individual who reports harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or for participating in an investigation of a claim of harassment is a serious violation of this policy and shall be subject to a response as per this policy.
- 2.12.10 A councillor, employee, consultant, volunteer, or member who knowingly makes a false or malicious allegation under this policy may also be subject to a response as per this policy.

Response

- 2.12.11 Any reported allegations of harassment, or retaliation against any individual who reports harassment or participates in an investigation of such reports, or any false or malicious allegation under this policy shall be investigated promptly, thoroughly, and impartially by the executive.
- 2.12.12 The investigation shall include, but is not limited to, individual interviews with the parties involved, ensuring that the perspectives of all involved are considered, and may also include interviews with any individuals who may have been a witness to the matter.
- 2.12.13 Confidentiality shall be maintained throughout the investigation process to the greatest extent possible.
- 2.12.14 Misconduct constituting harassment, or retaliation against any individual who reports harassment or participates in an investigation of such reports, or any false or malicious allegation under this policy by a councillor shall be dealt with promptly and appropriately as described in AUSU Policy 2.04 Council Governance: Discipline Process.
- 2.12.15 Misconduct constituting harassment, or retaliation against any individual who reports harassment or participates in an investigation of such reports, or any false or malicious allegation under this policy, by a staff member or consultant shall be dealt with promptly and appropriately by the executive with due consideration of all applicable employment laws and the individual's employment or consulting agreement.
- 2.12.16 Misconduct constituting harassment, or retaliation against any individual who reports harassment or participates in an investigation of such reports, or any false or malicious allegation under this policy by a volunteer, or member shall be dealt with promptly and appropriately by a committee made up of the executive and up to three councillors.

RELATED REFERENCES, POLICIES, PROCEDURES AND FORMS

This Policy References:

AUSU Policy 2.04 Council Governance: Discipline Process.

This Policy is Referenced by:

None

Forms:

None

POLICY HISTORY

Original Approval Date: July 04, 2011

Last Review Date: May 10th 2018 (informal)

Review by Date: May 2020