



POLICY 2.12

COUNCIL GOVERNANCE

Harassment and Discrimination

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 equally and 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.
- 2.12.02 Sexual harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. All harassment is offensive, often intimidates others and will not be tolerated within AUSU.
- 2.12.03 Discrimination is the prejudicial treatment of an individual or group based on race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons. Discrimination can be intentional or non-intentional.
- 2.12.04 Harassment, sexual harassment, or discrimination can occur between co-workers, management, staff, councillors, volunteers, partners, AUSU members, AU staff, or members of the public.
- 2.12.05 Harassment and discrimination 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, cyberbullying;
 - e) unsubstantiated criticism, unreasonable demands;

- f) insults, name calling, harmful jokes, public humiliation;
- g) any communication that is demeaning, insulting, humiliating, or deliberately hurtful; or
- h) comments that denigrate or stereotype based on race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons.

- 2.12.06 Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:
- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b) submission to, or rejection of, such conduct by an individual affects that individual's employment.

Policy Application

- 2.12.07 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 and video conferences, or any other activities where an individual is acting as a representative of AUSU.
- 2.12.08 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

- 2.12.09 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.
- 2.12.10 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

- 2.12.11 AUSU encourages individuals who feel they are being or may have been harassed to communicate with the alleged harasser that the behaviour is unwelcome and request that it stop immediately.
- 2.12.12 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 with the executive committee as per this policy.

- 2.12.13 Individuals who believe they have experienced conduct that is contrary to this policy or who have concerns about harassment shall file their complaints with the executive committee. Should the matter concern a member of the executive, a report will be made to the remaining members of the executive committee.
- 2.12.14 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.

Response

- 2.12.15 Any reported allegations of harassment, discrimination, or retaliation against any individual who reports harassment, discrimination, or participates in an investigation of such reports, under this policy shall be investigated promptly, thoroughly, and impartially by the executive committee.
- 2.12.16 In the event that a member of the executive committee is a party to the reported allegation then that individual will be excluded from the investigation outside of providing information to the investigation.
- 2.12.17 The investigation shall include, but is not limited to, individual interviews with all parties involved, and shall include interviews with any individuals who may have been a witness to the matter.
- 2.12.18 Confidentiality shall be maintained throughout the investigation process.
- 2.12.19 Misconduct constituting harassment, discrimination, or retaliation against any individual who reports harassment or participates in an investigation of such reports, under this policy by a councillor shall be dealt with promptly and appropriately as described in AUSU Policy 2.04 Council Governance: Discipline Process.
- 2.12.20 Misconduct constituting harassment, discrimination, or retaliation against any individual who reports harassment or participates in an investigation of such reports, under this policy, by a staff member or partner shall be dealt with promptly and appropriately by the executive director with due consideration of all applicable employment laws and the individual's employment or consulting agreement. In the case of the executive director, misconduct shall be dealt with by the executive committee.
- 2.12.21 Misconduct constituting harassment, discrimination, or retaliation against any individual who reports harassment or participates in an investigation of such reports, under this policy by a volunteer or student member shall be dealt with promptly and appropriately by an ad-hoc 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 4, 2011

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