

30. SGEU ANTI-HARASSMENT POLICY

30.1 SGEU STATEMENT OF EQUALITY

30.1.1 Unions were formed and developed historically on the basic principle of fighting for equal treatment for all members in the Union based on collective action. This basic goal has not changed.

30.1.2 The most effective tool to attain our goal of equality is the elimination of all forms of harassment and/or discrimination.

(Revised P4-Conv 2017)

30.1.3 These cruel and discriminatory forms of behaviour weaken the Union. All too often members of our Union are perpetrators as well as victims. This destructive behaviour must stop.

30.1.4 The practice of any form of harassment and/or discrimination by anyone negates our ability to achieve equality and stands in stark contrast to everything positive that unions have come to represent.

(Revised P6-Conv 2017)

30.1.5 Any and all forms of harassment and/or discrimination in our Union meetings, conferences, conventions, and workplaces or communities, weaken ourselves and our Union's ability to be a vehicle for social justice. *(Revised P7-Conv 2017)*

30.2 DEFINITION OF HARASSMENT

30.2.1 Harassment can be defined as any unwelcome or unwanted action by any person against another. It can be a verbal or physical action on a single or repeated basis, which intimidates, humiliates, insults, degrades or threatens.

30.2.2 "Unwelcome" or "unwanted" means any action(s) which the harasser knows or ought reasonably to know are not desired. Harassment is an inappropriate expression of real or perceived power or superiority by the harasser(s) over another person(s).

30.3 HARASSMENT AT SGEU MEETINGS OR EVENTS

- 30.3.1 At the commencement of each meeting/event one or more Ombudsmun will be designated and identified.
- 30.3.1.1 SGEU will provide sufficient resources for Ombudsmun training to have trained Ombudsmun at all conventions, Provincial Council meetings, conferences, annual general meetings, proposals-gathering meetings, and ratification votes. SGEU will work toward the goal of having a trained Ombudsmun at all SGEU meetings and events.
(Revised PC #2007-06-64)
- 30.3.1.2 SGEU will work toward having trained Ombudsmun on duty at all union meetings to promote respectful behaviour and full participation.
(Revised PC #2007-06-64)
- 30.3.2 The mandate of the Ombudsmun will be to deal with informal complaints of harassment.
- 30.3.3 To stop harassment we must make every effort to act as quickly as possible to challenge and stop offensive behaviour.
- 30.3.4 If it happens to you, take responsibility.
- 30.3.5 If possible, tell the person(s) how you feel. Be specific. Say you want the behaviour to stop and try to find a solution.
- 30.3.6 Don't blame yourself. Each person is responsible for his or her own actions.
- 30.3.7 Tell the Ombudsmun. Every effort will be made to ensure confidentiality.
- 30.3.8 The Ombudsmun will assist you with the informal process.
- 30.3.9 Every effort will be made to deal with complaints prior to the conclusion of the event.
- 30.3.10 If unresolved, the Ombudsmun may recommend that the person file a formal complaint and submit it directly to the Executive Director of Operations (EDO) and/or the Membership/Constitution and Legislation (MC&L) Chairperson.

- 30.3.11 If you are accused of harassment take responsibility...
- 30.3.12 Stop the actions, comments or offending behaviour immediately.
- 30.3.13 Each person is responsible for his or her own actions.
- 30.3.14 Try to resolve the issue. If you take positive action to correct your behaviour, you may want to keep a record of the steps you took.
- 30.3.15 If the Ombudsmun is involved, s/he will assist you with the informal process.
- 30.3.16 Every effort will be made to deal with complaints prior to the conclusion of the event.
- 30.3.17 If unresolved, a formal complaint may be filed against you with the President and/or the MC&L Chairperson.
(Res #P1 C-2010)

30.4 HARASSMENT IN OUR WORKPLACES

- 30.4.1 All bargaining units should negotiate anti-harassment clauses in their Collective Agreements to include:

mechanisms to resolve disputes,
protection for the complainant and
education awareness sessions on harassment for everyone in the workplace.

30.5 HARASSMENT IN OUR COMMUNITIES

- 30.5.1 We can challenge harassment and discrimination in society at large.
- 30.5.2 We have an obligation to fight for equal rights for all people by lobbying for legislative changes and working with other unions and organizations to challenge discrimination.
- 30.5.3 Our goal must be zero tolerance.

30.6 STATEMENT OF EQUALITY: SHORT VERSION

At the start of each meeting/event/function the following statement shall be read.

SGEU Statement of Equality

All SGEU meetings and events will be held in an environment free of harassment and/or discrimination; SGEU has a zero tolerance for any harassing and/or discriminatory actions, behaviours and comments.

Harassment is any behaviour that undermines the dignity, self-esteem or security of an individual, or creates an intimidating, threatening, hostile or offensive environment.

Our Union will not tolerate any forms of harassment and/or discrimination which violate a member's right to be treated with dignity and respect. (P8A-Conv 2017)

30.7 HARASSMENT COMPLAINT PROCESS

30.7.1 When an incident of harassment occurs, the complainant or witnessing SGEU members are encouraged to address the situation immediately. If a resolution between the parties is reached at any step in the process, the issue will be considered resolved. Every effort will be made to find a resolution before the end of the event you are attending.

30.7.2 Complainant

30.7.2.1 If possible, tell the person(s) how you feel. Be specific. Say you want the behaviour to stop and try to find a solution.

30.7.2.2 Don't blame yourself. Each person is responsible for his or her own actions.

30.7.2.3 Tell the Ombudsmun. Every effort will be made to ensure confidentiality.

30.7.2.4 The Ombudsmun will assist you with the informal process.

30.7.2.5 Every effort will be made to deal with complaints prior to the conclusion of the event.

30.7.2.6 If unresolved, the Ombudsmun may recommend that the person file a formal complaint and submit it directly to the MC&L Chairperson.
(Rev PC#2016-12-98)

30.7.3 Alleged Harasser

30.7.3.1 Stop the actions, comments or offending behaviour immediately.

30.7.3.2 Each person is responsible for his or her own actions.

30.7.3.3 Try to resolve the issue. If you take positive action to correct your behaviour, you may want to keep a record of the steps you took.

30.7.3.4 If the Ombudsmun is involved, s/he will assist you with the informal process.

30.7.3.5 Every effort will be made to deal with complaints prior to the conclusion of the event.

30.7.3.6 If unresolved, a formal complaint may be filed against you with the President and/or the MC&L Chairperson.
(Res #P1 C-2010)

30.7.4 Informal Complaint

30.7.4.1 Any member (the complainant) who believes s/he has been, or is being harassed as defined in the Statement of Equality (Article 30.2), will contact the Ombudsmun as soon as possible after the incident occurs.

30.7.4.2 If the Ombudsmun is not on site, inform the assigned contact person, the President or her/his designate. The President will assign a trained SGEU Ombudsmun to contact you.
(Res #P1 C-2010)

30.7.4.3 To initiate an informal complaint after the event is over, contact the President who will assign a trained SGEU Ombudsmun to contact you. Every effort will be made to find a resolution within 14 days from the receipt of the complaint.
(Res #P1 C-2010)

30.7.4.4 The Ombudsmun will meet with the complainant first to get details of the incident(s) and discuss a satisfactory resolution. At this time the complainant will be advised of available courses of action.

30.7.4.5 The complainant will be advised that if a respondent is named the Ombudsmun has a legal obligation to inform the respondent of the allegation and the name of the complainant.

- 30.7.4.6 Parties will treat all such discussions with complete confidentiality.
- 30.7.4.7 With the consent of the complainant the Ombudsmun then meets with the respondent to inform her/him of the allegation and ask her/him to describe the incident. If it appears that the matter can be resolved, the Ombudsmun will meet both the complainant and the respondent.
- 30.7.4.8 As the complainant, you are the one to determine if the resolution is satisfactory.
- 30.7.4.9 If there is successful resolution at this stage both parties will be asked to sign off in writing to indicate closure. The Ombudsmun will forward the file and statistical summary form to the President.
(Res #P1 C-2010)
- 30.7.4.10 If deemed necessary, the Ombudsmun can recommend that the respondent be sent home from the event. The Ombudsmun will contact the President or her/his designate to authorize this action.
(Res #P1 C-2010)
- 30.7.4.11 If there is no resolution at this stage, the Ombudsmun forwards the file and the statistical summary form to the President of SGEU. The complainant will be advised that s/he has the right to file a formal complaint in writing to the President and/or the Membership, Constitution and Legislation Chairperson.
(Res #P1 C-2010)

30.7.5 Formal Complaint Investigation

- 30.7.5.1 The President and/or the MC&L Chairperson shall notify the respondent that a formal complaint has been filed. An investigator will be appointed within fifteen (15) days to deal with the complaint and will notify both parties directly. All parties will be advised not to discuss the case with anyone.
(Res #P1 C-2010)
- 30.7.5.2 The Ombudsmun for the informal process shall not be appointed as investigator in the formal process.

- 30.7.5.3 The President and/or the MC&L Chairperson shall notify the complainant and respondent of the outcome and ensure that the recommendations of the report are implemented.
(Res #P1 C-2010)
- 30.7.5.4 The sealed file of the formal investigation will be stored securely for five years, under the direction of the President. The file will be destroyed after five years and shall not be referenced after this point.
(Res #P1 C-2010)

30.7.6 Appeal Process

- 30.7.6.1 Within fourteen (14) days of receiving the final report the complainant or the respondent have the right to appeal the decision.
- 30.7.6.2 The appeal must be made in writing to the President and/or the MC&L Chairperson outlining the reasons the appeal is sought. The appeal will only be considered if there is evidence that the process has been compromised in some way.
(Res #P1 C-2010)
- 30.7.6.3 The President and the MC&L Chairperson will assess the validity of the appeal. All parties will be advised within 14 days of this decision. If the appeal is denied the case ends here.
(Res #P1 C-2010)
- 30.7.6.4 If the appeal is deemed valid an independent investigator will be appointed to reinvestigate the complaint. The investigation will be completed, report submitted and the decision made within sixty (60) days.
(Revised PC Dec 2006 -- Motion #2006-12-39-MCL-57) (Revised PC #2007-06-64)

30.8 ENSURING EFFECTIVE ANTI-HARASSMENT POLICY

- 30.8.1 To ensure the anti-harassment policy is effective, SGEU has made a commitment and will demonstrate its political will by providing Education through leadership development programs at all levels and maintaining an ongoing Visibility Campaign.
- 30.8.2 Ongoing evaluation of education programs and complaint process is required.
- 30.8.3 Annually, the Membership, Constitution and Legislation Committee will make a statistical report to Convention. This report will not contain any identifying information about complainants or

respondents. Statistics will be collected from the statistical reports made by Ombudsmun and investigators.

30.9 OMBUDSMUN

30.9.1 SGEU is committed to ensuring a harassment-free environment within the Union. To this end, Ombudsmun will be required to complete the Ombudsmun training course.

30.9.2 Ombudsmun will be assigned to resolve disputes or informal complaints as they arise within the Union.

30.9.3 Ombudsman will be appointed at the commencement of each Union meeting or function. The Ombudsmun will be selected on the basis of availability and geography.

(Revised - PC #01-176) (Revised PC #2007-06-64)

(Revised, PC #2011-06-27: Secretary/Treasurer throughout the Policy Manual to SGEU Secretary Treasurer)