

Society for Students with a Disability (SSD) Anti-Harassment Policy

Purpose

The SSD aims to provide its members and employees with a safe space. To this end, harassment is not tolerated, and can be a reason for disciplinary action or exclusion from the SSD's space and services.

Definitions

1. Harassment is:
 - a. humiliating someone physically or verbally;
 - b. sexual harassment, as defined in UVic's Policy GV0205;
 - c. threatening or intimidating behaviour towards someone; or
 - d. making abusive and demeaning comments about someone's disability, race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, or pardoned conviction.

2. Harassment is not:
 - a. conflict or disagreement between persons;
 - b. evaluation and criticism of job performance;
 - c. appropriate use of discipline procedures; or
 - d. behaviour which causes, by an objective standard, only minimal and fleeting harm.

3. The following additional definitions shall apply in this document:
 - a. "SSD" or "the Society" refers to the Society for Students with a Disability;
 - b. "UVSS" refers to the University of Victoria Students' Society;
 - c. "UVic" refers to the University of Victoria;
 - d. "EQHR" refers to the Office of Equity and Human Rights at UVic;
 - e. "Council" or "the Council" refers to the Council of the SSD;
 - f. "Members" refers to the members of the SSD;

- g. "Council Members" refers to members of the Council; and
- h. "the Collective Agreement" refers to the Collective Agreement between the UVSS and United Steelworkers.

Limitations

- 4. Nothing in this policy should be understood to contradict the Constitution and Bylaws of the SSD.
- 5. Nothing in this policy should be understood to contradict the Constitution and Bylaws or policies of the UVSS. In particular, this Policy aims to complement, but not in any way to supersede or detract from, the UVSS Anti-harassment Policy.
- 6. Nothing in this policy should be understood to contradict the Collective Agreement. If any employee of the Society who is a member of United Steelworkers is the victim of harassment, they will have all the rights available to them under the Collective Agreement in addition to the option of filing complaints under the processes set forth in this Policy.

Consultation

- 7. If any employee, volunteer, or Member of the Society feels that they may be the victim of harassment originating from a Council Member or employee of the Society, or any individual feels that they may be the victim of harassment in the Society's space, or if anyone is a witness to such harassment, they may confidentially consult the President (Chairperson), who shall endeavour to provide advice and guidance.
- 8. Whereas the the Society voluntarily agrees under UVic's Policy GV0205, 8.00(a), to submit to the processes of UVic's Policy GV0205, Society employees are advised that they have the right to confidential consultation with the Director of EQHR.
- 9. Whereas Members of the Society are students at UVic, Members are advised that they also have the right to confidential consultation with the Director of EQHR.

Harassment Complaints against Council Members or Employees

- 10. If any employee, volunteer, or Member of the Society is the victim of harassment originating from a Council Member or employee of the Society, or any individual is the victim of harassment originating from a Council Member or employee of the Society in the Society's space, that individual

may file a harassment complaint against that Council Member or employee with the Council or EQHR.

11. Should a complaint against a Council Member or employee of the Society be filed with EQHR, the Society voluntarily agrees under UVic's Policy GV0205, 8.00(a), to submit to the processes of UVic's Policy GV0205.
12. Should a complaint against a Council Member or employee of the Society be filed with the Council, the Council will make every effort to resolve the complaint within 30 days. The Council will, where appropriate, offer mediation to both parties, under the conditions that the mediator be agreed to by both parties and that each party to the complaint may be accompanied and supported by an additional person of their choosing.
13. Should mediation be inappropriate or unsuccessful, the Council will arrange for a qualified third party investigator to investigate the complaint and prepare a report determining whether harassment occurred.
14. If the complaint is substantiated by the qualified third party investigator, the Council may:
 - a. issue a reprimand, suspension, or dismissal to an employee who is not subject to the Collective Agreement;
 - b. take appropriate action under the Collective Agreement against an employee who is subject to the Collective Agreement; or
 - c. resolve to call a Special General Meeting for the purpose of removing a Council Member from office.
15. While a complaint against a Council Member or employee is in process, the Council may take interim measures to protect any party, provided that all parties are treated fairly. Examples of such interim measures may include:
 - a. having work performance supervised and assessed by an alternative supervisor; or
 - b. making alternative work arrangements to limit contact between parties.
16. Where a harassment complaint is directed against a Council Member, that Council Member is regarded as being in conflict of interest and, notwithstanding the SSD Council Policy, will not participate in or be a party to any in camera discussion related to the harassment complaint or to the other party to the complaint.

Other Harassment

17. If any employee or volunteer of the Society is the victim of harassment from an individual other than a Council Member or employee of the Society, or is witness to such harassment directed towards a Member, they may, at their discretion, refuse to provide services to the person who perpetrated the harassment and request that they leave the Society's space.
18. If any employee, volunteer, or Member of the Society is the victim of harassment from an individual other than a Council Member or employee of the Society, they may also address a complaint to the Council or to EQHR.
19. Should a complaint against an individual other than a Council Member or employee of the Society be filed with the Council, the Council may add that individual's name to a list of persons who are not permitted to enter the Society's space or obtain services from the Society. The Council shall determine whether the ban shall be life-long or have a specified duration.
20. Should a complaint against an individual other than a Council Member or employee of the Society be filed with EQHR, the Society voluntarily agrees under UVic's Policy GV0205, 8.00(a), to submit to the processes of UVic's Policy GV0205.

Confidentiality

21. The Council will take all reasonable and appropriate action to ensure that the confidentiality of all parties to a harassment complaint is respected.