

Sexual Harassment Policy

Purpose:

Policy:

a) Sexual harassment is any unwelcome behavior that is sexual in nature. The Alberta Human Rights Commission defines sexual harassment as follows:

"Sexual harassment, being discrimination on the grounds of gender, is a violation of the Individual Rights Protection Act. Unwanted sexual advances, unwanted requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

i. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's role with the ASA,
ii. Submission to or rejection of such conduct by an individual affects that individual's employment." Version: April 29, 2011 Page 52 of 78 Sexual harassment is illegal under the provisions of the Individual Rights Protection Act. Sexual harassment is any unwanted sexual communication or attention that is offensive intimidating or humiliating, whether in verbal, written or visual form. (adapted from the Alberta Human Rights and Citizenship Commission). The behavior need not be intentional in order to be considered sexual harassment. It is offensive and in many cases it intimidates others. It shall not be tolerated within our organization.

b) Other harassment may include discrimination on the basis of race, national or ethnic origin, religion, sex, gender, sexual orientation, age, or mental or physical disability.

c) If you are being harassed:

i. Tell the individual his/her behavior is unwelcome and ask him/her to stop;
ii. Keep a record of incidents (dates, times, location, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time;
iii. File a complaint. If, after asking the harasser to stop his/her behavior, the harassment continues, report the problem to one of the following individuals:

The President of the Augustana Students' Association;

The Executive Director of the Augustana Students' Association;

The Augustana Human Rights Advisors;

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The Student OmbudService of the Students' Union; and/or

The Office of Human Rights and Safe Disclosure at the University of Alberta. Version: April 29, 2011 Page 53 of 78

You also have the right to contact the Alberta Human Rights Commission to file a complaint of harassment and, if circumstances warrant it, the police, to file a charge.

- d) Once a complaint is received, it shall be kept strictly confidential. An investigation shall be undertaken immediately and all necessary steps taken to resolve the problem.
- e) The complainant and the alleged harasser shall be interviewed along with any individuals who may be able to provide relevant information. All information shall be kept in confidence
- f) If the investigation reveals evidence to support the complaint of harassment, the harasser shall be disciplined appropriately. Discipline may include suspension or dismissal, and the incident shall be documented in the harasser's file. No documentation whatsoever shall be placed in the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not;
- g) If the investigation fails to find evidence to support the complaint, there shall be no documentation concerning the complaint in the file of the alleged harasser;
- h) Regardless of the outcome of a harassment complaint made in good faith, the employee, volunteer, or elected official lodging the complaint, as well as anyone providing information, shall be protected from any form of retaliation by either coworkers or superiors. This includes demotion, unwanted transfer, denial of opportunities within the organization, as well as harassment of the individual as a result of him/her having made a complaint or having provided evidence regarding the complaint;
- i) It is the responsibility of a director, manager, or any person within the Augustana Students' Association supervising one or more employees, volunteers, or elected official to take immediate and appropriate action to report or deal with incidents of harassment whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed or the complainant told to deal with it personally