

Sexual Harassment Policy

Purpose:

The purposes of this policy are:

- to make clear the ASA's commitment to ensuring a safe and inclusive environment for all members, guests, representatives, and staff members of the ASA;
- to prevent sexual harassment from occurring within the ASA;
- to provide fair procedures for handling sexual harassment complaints if/when they are brought forward; and
- to highlight that sexual harassment will not be tolerated within our organization.

Policy:

Definitions

Sexual Harassment:

As defined by the Alberta Human Rights Commission, "sexual harassment is:

- discrimination based on the ground of gender;
- any unwelcome sexual behavior that adversely affects, or threatens to affect, directly or indirectly, a person's job security, working conditions or prospects for promotion or earnings; or prevents a person from getting a job, living accommodations or any type of public service;
- usually an attempt by one person to exert power over another person. It can be perpetrated by a supervisor, a co-worker, a landlord, or a service provider; and
- unwanted, often coercive, sexual behavior directed by one person towards another. It is emotionally abusive and creates an unhealthy, unproductive atmosphere in the workplace."

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. The behavior need not be intentional in order to be considered sexual harassment. It is offensive and in many cases it intimidates others.

Disclosure: When someone discloses that they have experienced an instance of sexual violence or harassment to an ASA or university official.

Report/Complaint: A formal report (written or verbal) made to an ASA or university official with the purpose initiating an investigation into the report.

Reporting Sexual Harassment

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If you are being harassed:

1. Inform the individual his/her behavior is unwelcome and ask him/her to stop. If you feel uncomfortable approaching the person accused, attempt to keep a record of the incidents and report the issue to one of the individuals listed in part 3;
2. If possible, keep a record of incidents (dates, times, location, possible witnesses, what happened, your response). A record of events is not necessary for filing a complaint but a record of all incidences can strengthen the case and help you remember specific details.
3. If the harassment continues after the accused was informed that their behavior was unwelcomed or unacceptable, report the problem to one or more of the following individuals:
 - The President of the Augustana Students' Association;
 - The Executive Director of the Augustana Students' Association;
 - The Office of Student Ombuds (North Campus);
 - The University of Alberta Sexual Assault Centre (North Campus);
 - University of Alberta Protective Services (Augustana Campus);
 - The Office of Human Rights and Safe Disclosure at the University of Alberta.

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

If reported internally to the ASA, an investigation shall begin immediately and all necessary steps taken to resolve the problem. If the complainant initially report to the ASA but request further assistance in bringing the matter to higher authorities, the ASA will support the complainant throughout the process.

Internal Reports to the ASA

1. Once a complaint is received and the complainant has made clear that they would like the issue dealt with within the ASA, the complainant, the alleged harasser, and any individuals who may be able to provide relevant information shall be interviewed separately by the President and the Executive Director.

If the complaint is brought against the President or the Executive Director, the person whom the complainant reported to will work with the non-involved members of Executive Council to investigate the report, as per the processes outlined in this policy.

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2. If the investigation reveals evidence to support the complaint of harassment, the harasser shall be disciplined appropriately. Discipline may include suspension or dismissal. In the case of elected representatives, with the consent of the complainant, a motion to impeach may be brought to Students' Council. Alternative discipline for elected representatives may include mandatory sexual harassment training, temporary suspension of duties, restricted duties or access, or loss of bursary. It is the responsibility of the people investigating the claim to find a solution to the situation that ensure the safety and dignity of the complainant.

If the investigation reveals evidence to support the claim, the incident shall be documented in the harasser's file. Depending on the situation, the harasser may be considered no longer in good standing with the ASA and may lose the right to be involved with the association in the future. 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;

4. 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.

5. It is the responsibility of a director, manager, elected representative or any person within the Augustana Students' Association supervising one or more employees or volunteers, 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.**

Confidentiality

Ensuring confidentiality is key to establishing an environment where people feel comfortable and protected in disclosing sexual harassment.

The following steps will be taken to ensure that the confidentiality of everyone

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involved is respected:

- 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;
- 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;
- Anybody involved in the investigation, including the person the complainant disclosed to or any person brought in to provide additional information, will not discuss any information relating to the investigation, including the names of the complainant or the accused, in any public setting;

The ASA is fully committed to ensuring that the confidentiality of all involved parties is maintained with the exception of instances where:

- An individual is at an immediate risk of self-harm;
- An individual is at an immediate risk of harming others;
- Reporting or action is required by law.