



Motion Regarding Revisions of the Equity Policy

Whereas, the SSMU Equity Policy was last revised in Winter 2013;

Whereas, student consultation sessions were held by the SSMU Equity Commissioners in Winter 2014 with regard to Equity Policy revisions;

Whereas, these sessions reflected a desire for heightened policy accessibility and ability to consult with student groups relevant to the complaints at hand;

Whereas, the 2014-15 SSMU Equity Committee struck an Equity Policy Review Working Group that has been working throughout the academic year and consulting relevant student groups;

Be it resolved, that the SSMU adopt the appended revisions to the SSMU Equity Policy.

Moved by:

Claire Stewart-Kanigan, Vice-President (University Affairs)
Anikke Rioux, Engineering Rep
Courtney Ayukawa, President

APPROVED



2015 SSMU Equity Policy

1. Background

The SSMU has a long-standing history of leadership on issues of equity and social justice. The development of formal mechanisms for addressing equity matters has been in a constant process of growth, development, and improvement over the past two decades. The SSMU has demonstrated in its history a commitment to not only excel in the practice of equity, but also to be a progressive leader in the field. The third pillar of the SSMU's commitment to its membership, *Leadership*, is described solely in the context of social justice and equity related matters in the Preamble of the SSMU Constitution:

“VI. All Students' Society endeavours shall be undertaken with full respect for human dignity and without discrimination on the basis of irrelevant personal characteristics that include but are not limited to race, national or ethnic origin, colour, religion, sex, gender identification, age, mental or physical disability, language, sexual orientation or social class.

VII. The Students' Society commits to demonstrating leadership in matters of human rights, social justice and environmental protection. The Society shall be mindful of the direct and indirect effects corporations, businesses and organizations have on their social, political, economic, and environmental surroundings.

VIII. The Students' Society commits itself to groups, programs and activities that are devoted to the well-being of a group disadvantaged because of irrelevant personal characteristics that include but are not limited to race, national or ethnic origin, colour, religion, sex, gender identification, age, mental or physical disability, sexual orientation or social class.”

The SSMU's history has seen extensive student organization against sexism, racism, homophobia, classism, ableism, and other forms of discrimination on the local, university, provincial, federal, and international levels. Numerous SSMU services and student groups have a strong commitment to equity, safety, and the creation of safe(r) spaces for its membership, including but not limited to Queer McGill, the Union for



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Gender Empowerment, the Black Students Network, the Sexual Assault Centre of McGill's Students' Society, Walksafe, and Drivesafe. Dozens of SSMU Clubs and affiliated student groups also share a commitment to equity and anti-discrimination in their mandates.

Civil rights movements over the last 40 years have shown the impact universities and students have on progress in equity issues. From the struggles for Women's rights to Francophone rights to Queer rights; the SSMU and its members have played an active part in the struggle for fair treatment and personal sovereignty. Much of the SSMU's commitment to equity comes from the responsibility of university organizations to create safe havens from the rest of society, where marginalized persons can come together and create communities where they are supported in combatting systemic oppression.

In 1989, the SSMU defined itself as an "anti-oppressive" organization. This was an important step in defining ourselves as leaders in the field of Equity. By incorporating anti-oppression practice into the SSMU, the understanding of equity was extended beyond the simple relationship of person-to-person isolated events of harassment and discrimination into an in-depth evaluation of the situation of certain groups that leads to a lack of access and respect in society for those groups. This method for evaluating and addressing injustice, discrimination, and inclusion is utilized by many non-profits across North America and is a staple in academic discourse surrounding social movements.

"The SSMU—an organization working with individuals, in groups, within organizations, and across a wide social and political context—shall promote a functional anti-oppressive environment that fosters a culture of respect and facilitates our mission of Service representation and leadership." [Approved by Legislative Council on March 14, 1989]

Since this 1989 decision, the 90s saw a great deal of development in the SSMU's work on equity. The creation of a VP Equity (by splitting the VP University Affairs position) was proposed and rejected by Council in 1992-1993, and again in 1996-1997, for reasons most likely related to a lack of confidence that this was the best allocation of responsibility. Council soon after created the position of Equity Commissioner, who was given the responsibility of managing the Equity Committee and taking a proactive position in addressing equity issues at McGill.

McGill University created the Joint Senate Board Committee on Equity in 1994. Today, this Committee has grown into an umbrella group with five subcommittees on Women, Race and Ethnicity, First Peoples, Queer People, and People with Disabilities. The effectiveness of this structure is still in question, and undergraduate students have taken

Sula Sidnell-Greene 2015-3-9 2:24 PM

Comment [1]:
Change from "First People"



an active role in pushing for equitable practices at McGill. In 2004, McGill created its first interim Policy on Harassment. In 2005, it established the Social Equity and Diversity Education Office as an outreach unit for the McGill community. In years to come, the recommendations of the Principle's 2009 Taskforce on Diversity, Excellence and Community Engagement will likely see some changes to the way McGill addresses diversity and inclusion on its campuses.

Since 2005, the SSMU Equity Policy has gone through its most intensive process of review and implementation as Equity has grown in importance to our membership. The most important developments in the Policy over this time period have focused on the protocol for addressing violations of the Policy, the delegation of responsibility, and settling of disputes over equity matters.

The following SSMU Equity Policy is the culmination of revisions done by the Equity Committees of 2008-2013 and is based off the last Equity Policy passed at Legislative Council on November 11, 2010. The revised policy, passed on March 1 2012, was heavily based upon the Anti-Oppression and Diversity Policy from Sistering Organization, a Toronto-based NGO.¹ The revised policy, passed on _____ includes revisions made by the SSMU Equity Commissioners and the SSMU Judicial Board of 2012-2013, with help from the Ad Hoc Equity Policy Committee of the AUS 2012-2013 especially with regards to the list of definitions. This revised policy, passed on April 2 2015, was revised by the SSMU Equity Committee with the help of the SSMU VP-University Affairs.

2. Policy Statement

- 2.1. The SSMU has a responsibility, as a leader, representative, and service provider to a diverse membership, to conduct itself by the highest standards of respect, fairness, integrity, safety, and equitable treatment for all persons.
- 2.2. The SSMU strives to create a community that exceeds social standards of equitable treatment and create **a safer space for all of our members where discourse and diverse ideas can flourish within a respectful atmosphere.**
- 2.3. The SSMU will promote a functional anti-oppressive environment. We acknowledge that a functional anti-oppressive environment is achieved through:

Sula Sidnell-Greene 2015-3-9 2:29 PM

Comment [2]:
Update

Sula Sidnell-Greene 2015-3-9 2:31 PM

Comment [3]:
Revised for clarity, conciseness and to include the concept of 'safer space'.

¹ Sistering Board. (2007, April). Retrieved 01 14, 2011, from Sistering.org:
<http://www.sistering.org/about/policies/SISTERING%20Anti-Oppression%20Policy.pdf>



- 2.3.1. Recognition that **historical and ongoing processes of oppression** disadvantage and harm certain groups of **people**;
- 2.3.2. Proactive steps to challenge and acknowledge the current and historical **processes** that affect the safety and well-being of **these groups**;
- 2.3.3. Acknowledgment that **certain groups of people knowingly or unconsciously benefit from these processes**;
- 2.3.4. Proactive steps to challenge the actions, attitudes, and assumptions that result from **these processes of oppression**;
- 2.4. The SSMU understands **that groups that have been historically and culturally disadvantaged are subject to systematic marginalization and oppression, based on but not limited to:** gender identity, gender expression, age, race, ethnic or national origin, religion, sexuality, sexual orientation, ability, health, language, size, or social class.
- 2.5. The SSMU condemns harassment or discrimination **based on, but not limited to:** gender identity, gender expression, age, race, ethnic or national origin, religion, sexuality, sexual orientation, ability, health, language, size, or social class.
 - 2.5.1. **The SSMU** regards harassment and/or discrimination on **these bases** as serious offences that undermines its constitutional commitment to respect.
 - 2.5.2. Condemnation of harassment and/or discrimination does not prevent any program or activity whose purpose is to improve the conditions or provide safer spaces for groups that have been **historically and culturally disadvantaged**.
- 2.6. The SSMU will actively support projects and policies that aim to end **oppression** or to promote accessibility and inclusiveness in the McGill community.
 - 2.6.1 **The SSMU and its affiliated Clubs and Services will not associate or collaborate with organizations that perpetuate the oppressions outlined in Article 2.4, or promote or engage in discrimination or harassment as outlined in Article 2.5**

Sula Sidnell-Greene 2015-3-9 2:35 PM

Comment [4]:
We decided to remove 'bias' because we did not find it sufficiently recognizes the systematic and pervasive nature of oppression; the word 'bias' denotes interpersonal relations of power

Sula Sidnell-Greene 2015-3-9 2:34 PM

Comment [5]:
We replaced 'disadvantaged groups' with 'these groups' in order to preserve those groups' agency while still recognizing the vast and severe effects of oppression.

Sula Sidnell-Greene 2015-3-23 9:10 PM

Comment [6]:
Rather than labeled particularly groups "disadvantaged groups" we choose to make space for groups to identify for themselves the ways in which they may have been systematically marginalized and/or oppressed based on particular characteristic.

We also chose to remove 'ascribed or asserted characteristics related to personal aspects' because it made the section convoluted.

Sula Sidnell-Greene 2015-4-1 6:50 PM

Comment [7]:
Broke up section to increase legibility and coherence.

Sula Sidnell-Greene 2015-3-9 2:53 PM

Comment [8]:
We decided to expand this section in order to preserve space on campus for marginalized communities. In light of a number of equity issues surrounding POC-only spaces in the past few years, we believe it is incredibly valuable to explicitly protect such spaces on campus. This decision was also reached after consulting the Midnight Kitchen Collective who has experienced a significant amount of harassment and hostility when they have organized such events.



3. Scope

3.1. This Policy shall apply to:

3.1.1. Staff, elected representatives, **operations, Clubs, Services, and Independent Student Groups** of the Students' Society of McGill University.

3.1.2. All activities and events hosted, funded, and promoted by the Society and SSMU-affiliated Clubs and Services.

3.1.3. Written or graphic material, which is published, distributed, endorsed, or funded by the Society.

3.1.4. Activities, events, **campaigns** and promotions held in the William Shatner University Centre.

3.2. This Policy is not to be applied in such a way as to detract from the right of members to engage in open discussion of potentially controversial matters. No individual student or student group should have the effect of **limiting dialogue provided that such discussion does not perpetuate the oppressions outlined in Article 2.4. and is conducted in a manner that conforms to the SSMU's stance on discrimination and harassment set out in Article 2.5.**

3.3. **Equity Complaints may be deemed outside the jurisdiction of SSMU if the subject matter of an Equity Complaint involves:**

3.3.1. **Physical or sexual assault**

3.3.2. Persons or bodies outside the jurisdiction of the SSMU, including, but not limited to, McGill Administrative units, faculty members, Libraries, and Student Services

3.4. **In the event that a Complaint falls outside the jurisdiction of SSMU** the Equity **Commissioners** may serve as a resource in referring the Claimant to the appropriate channels.

4. Definitions

4.1. **Equity:** the respect of and equality of opportunity. **Equitable treatment involves acknowledging diversity and actively challenging the barriers**

Sula Sidnell-Greene 2015-3-9 3:14 PM

Comment [9]:
Added operations and appropriate capitalization

Sula Sidnell-Greene 2015-3-9 3:16 PM

Comment [10]:
Added campaigns

Sula Sidnell-Greene 2015-4-1 6:51 PM

Comment [11]:
Instead of using the language of "respectful, non-coercive, collegial" we decided it is more effective to point specifically to the section of the Policy that campus dialogue should conform to (i.e. the ways in which to avoid oppressive and harmful discussion while acknowledging that students may still feel uncomfortable with a discussion without being harmed).

Sula Sidnell-Greene 2015-3-9 3:29 PM

Comment [12]:
We decided to break up this section in order to make it as clear as possible. Moreover, mention of the Quebec Human Rights Commission was removed in favour of emphasizing "appropriate channels".

Sula Sidnell-Greene 2015-3-11 1:52 PM

Comment [13]:
Took out "both of which are criminal offences"

Sula Sidnell-Greene 2015-4-1 6:51 PM

Comment [14]:
The Equity Commissioners are a more appropriate channel than Equity Officers as they have received extensive training and are employees of the SSMU.

Sula Sidnell-Greene 2015-4-1 6:53 PM

Comment [15]:
Decided to make this section more active by including what "equitable treatment" looks like in practice.



that prevent equal inclusion, opportunity and recognition due to ongoing and historical oppression.

- 4.2. *Diversity*: the existence of differences among individuals and groups in based on, but not limited to gender identity, gender expression, age, race, ethnic or national origin, religion, sexuality, sexual orientation, ability, language, size, or social class.
- 4.3. *Oppression*: relations of domination and exploitation resulting from historically and culturally constructed ideologies of superiority and inferiority. These relations of power result in individuals or groups being systematically subjected to political, economic, cultural, or social injustices.
- 4.4. *Privilege*: an unearned advantage or immunity knowingly or unknowingly held by a group of persons to the disadvantage of others and maintained by systems of Oppression.
- 4.5. *Marginalization*: the exclusion and relegation of certain individuals groups to positions of lesser value, power, and access to participation within society.
- 4.6. *Disadvantage*: a circumstance or a situation that puts an individual or group in an inferior or less favourable position compared to others, resulting in compromised access to resources or opportunities.
- 4.7. *Discrimination*: the differential treatment of an individual or group, typically to their disadvantage, on the basis of their perceived status or characteristics.
- 4.8. *Harassment*: any behaviour, act, comment, or display that demeans, and/or causes personal, psychological, or social harm to an individual or group, including acts of intimidation or threat.
- 4.9. *Complaint*: a formal written declaration of a violation of the Equity Policy to the Equity Officers.
- 4.10. *Incident*: the instance of alleged violation of the Equity Policy by the Respondent addressed in the Complaint.
- 4.11. *Claimant*: the person or group who has experienced the alleged incident(s) and has filed a Complaint against the Respondent.
- 4.12. *Investigators*: persons who will investigate a Complaint.

Sula Sidnell-Greene 2015-3-11 3:26 PM

Comment [16]:
Necessary to put in "unearned"

Sula Sidnell-Greene 2015-4-1 6:54 PM

Comment [17]:
Brought in outside forces because it is necessary to acknowledge the system that maintains these privileges. Privileges are something that can and should be challenged, they should not be simply accepted as a part of life.

Sula Sidnell-Greene 2015-4-1 6:54 PM

Comment [18]:
We added "exclusion" as it is an essential part of marginalization, in the way it affects access.

We also decided that it is not productive to define marginalization in terms of "lesser agency" because agency is a contested terrain and groups, despite their subordination, have the right to label their own experience of exercising their agency. Instead we used "value, power, and access to participation".

Sula Sidnell-Greene 2015-3-9 4:32 PM

Comment [19]:
Edited for clarity



- 4.13. *Respondent*: the person against whom a Complaint is brought.
- 4.14. *Support person*: the person whom the Claimant or the Respondent selects to assist them throughout the Resolution process.
- 4.15. *Mediation*: the initiation of an **ameliorative** dialogue between all parties concerned in an equity issue, to be facilitated by at least one of the Equity Officers.
- 4.16. *Private space*: a mutually agreed upon location where Mediation can take place that allows for the respect of confidentiality.
- 4.17. *Investigation*: a formal Resolution process involving research and collection of supporting evidence to make recommendations on how to resolve a Complaint.
- 4.18. *Conflict of interest*: a situation in which a person's interests may affect their ability to make a fair decision, such as the presence of pre-existing social relationships or the possibility of advancement.

5. Accountability

- 5.1. All staff and elected representatives are accountable for the implementation of this Policy. SSMU Council is ultimately accountable for all aspects of the tion. To this end, the Council direction, policies, vision and planning must integrate principles of anti-oppression and diversity. The Council is responsible for ensuring that all SSMU Executives and Committees integrate, demonstrate, and communicate this commitment in their annual work plans. Council is responsible for working with the Executive to ensure the development, implementation, and evaluation of all aspects of the agency against these principles.

6. Composition of the Equity Complaints Investigation Committee

- 6.1. The Society will have four (4) Equity Officers:
 - 6.1.1. The two (2) Equity Commissioners
 - 6.1.2. **The Vice-President (University Affairs).**
 - 6.1.3. One (1) member of the Equity Committee selected by the Committee
- 6.2. The Equity Officers shall participate in anti-oppressive training organized by the Equity Commissioners.

Sula Sidnell-Greene 2015-3-9 4:41 PM

Comment [20]:

The VP UA has traditionally served on the Equity Complaints Investigation Committee. Equity also falls under their portfolio and they will have worked closely with the Equity Commissioners. It is our opinion that they should occupy one of the places on the committee if they are not the subject of the complaint.

Sula Sidnell-Greene 2015-3-9 4:55 PM

Comment [21]:

The Equity Commissioners, given their extensive training and in-depth knowledge about anti-oppressive organizing, can adequately coordinate this training.



- 6.3. If the complaint is against one or more Equity Officers, these Equity Officers shall not be investigators.
 - 6.3.1. If the complaint is brought against three (3) or more Equity officers, the SSMU Judicial Board members shall be the investigators, and shall conduct the investigation as per this policy.

7. Submission of an Equity Complaint

- 7.1. All Complaints shall be submitted in writing, or addressed in writing, in either French or English, to an Equity Officer, or in the case that the Complaint is against an Equity Officer, to the Speaker of SSMU Council.
- 7.2. All Complaints submitted will be investigated, provided the Claimant is willing to assist the Equity Officers in a capacity that will not put their personal safety or the safety of any other individual or group at risk.
 - 7.2.1. Equity Officers shall be empowered to seek any information that is not explicitly confidential.
 - 7.2.2. After the submission of an Equity Complaint, the Equity Officers must outline, either in writing or in person, the limits of the Policy to any implicated parties.
 - 7.2.3. Any individual who does not wish to participate in the investigation process is not obligated to do so; however, this does not prevent recommended remedies from being ratified by Council (e.g. dismissal from a position at the SSMU).
 - 7.2.4. Complaints will be investigated primarily by the investigators. In certain cases, members of the Executive Committee will be consulted for further investigation and procedural matters (e.g. members of the Committee in a case-by-case, such as the VP Clubs & Services for a Clubs/Service issue).
 - 7.2.5. The SSMU Council, Executive, and Equity Officers have a responsibility to ensure Policy violations are addressed effectively and efficiently. Every effort must be made by the Equity Officers to comply with the timelines described in this procedure, but failure to do so does not void the process. Claimants should be aware that there is a six



month time limit for filing a Complaint at SSMU, unless it is determined that the delay was incurred in good faith and no substantial prejudice will result to any person as a result of the delay.

8. Support Person

- 8.1. Throughout the investigation of an equity complaint, the Claimant and the Respondent have the right to be accompanied at any time by a Support person.
- 8.2. Any interviewing or questioning throughout the investigation may be temporarily stopped to allow the Support person and their party to discuss an issue or question privately. The Support person may take notes and give advice to the party they are supporting.
- 8.3. The support person may not be a supervisor of either the Claimant or the Respondent.
- 8.4. The support person's role is not to present or respond on behalf of either Respondent or Claimant.

9. Informal Resolution Process: Mediation

- 9.1. If an Equity Officer or a qualified person from outside the organization (subject to the approval of the Equity Officers) agrees to act as a mediator, that person will begin to help the parties settle the Complaint within 10 working days of the Complaint's submission and complete the Mediation with 20 working days, unless an extension is needed. The mediator should not be involved in investigating the Complaint, and should not be asked to represent the SSMU at any stage of any proceedings related to the Complaint. The mediation will take place in a private space.
- 9.2. Either party has the right to refuse mediation, without reprisal.
- 9.3. If either implicated party feels as though the informal resolution process has not produced a resolution, then a formal investigation shall be initiated.

10. Consultation with Student Groups

Arlene Kanigan 2015-4-9 7:10 PM

Comment [22]:

New section to allow for consultation with relevant student groups in making decisions



10.1. Throughout the resolution process Equity Officers are encouraged to consult relevant student groups for advice during the process of resolving a complaint while not disclosing any personally identifiable details of either party implicated in the Complaint.

10.2. While confidentiality must be respected, student groups should be consulted in instances where Equity Officers:

10.2.1 Feel a particular perspective is not being adequately represented throughout the process

10.2.2. Believe the Resolution would significantly affect a particular student group

11. Formal Resolution Process: Investigation

11.1. The Claimant shall make a written record of the incident, including dates, times, locations and a detailed account of the incident. The Claimant will forward the written record of the incident as follows:

11.1.1. To the Equity Officers, unless it is a Complaint against one or more of the Equity Officers.

11.1.2. To the Speaker of Council, if it is a Complaint against one or more of the Equity Officers. The Respondent will be made aware of the allegations against them and has the right to respond to the Complaint in writing.

11.2. The investigators will investigate the Complaint thoroughly. They will interview the Claimant, the Respondent, and any witnesses. A detailed record shall be kept of interview and sent to both the interview subject and the investigators for confirmation of accuracy. The Claimant, Respondent and witnesses interviewed have a responsibility to cooperate in the investigation, and act in good faith.

11.2.1. An investigation will involve: obtaining all pertinent information from the Claimant, informing the Respondent of the details of the Complaint and obtaining their response, interviewing any witnesses, providing the Claimant and the Respondent with all of the allegations and responses of the other party or of witnesses to allow them to respond, deciding whether the Equity Policy violation has occurred, recommending appropriate remedies.

Sula Sidnell-Greene 2015-4-1 6:55 PM

Comment [23]:

Deleted section about the support person because already outlined in Section 7.2.6

Sula Sidnell-Greene 2015-4-1 6:55 PM

Comment [24]:

Removed 'on a balance of possibilities'.



- 11.2.2. To preserve the integrity of the Complaint process, everyone involved is required to cooperate with the investigation and maintain the confidential nature of the Complaint. Failure to cooperate will constitute bad faith.
- 11.2.3. Within a week of being ratified, the Equity Officers will submit the final report to the General Manager for addition to the Equity Log. The Claimant and Respondent will also be provided with a copy of the final report. The report shall consist of but is not limited to facts, full reasons and recommendations.
- 11.3. Depending on the nature and severity of the complaint, the remedies for Policy violation include, but are not limited to:
- a) Letter(s) of apology
 - b) Suspension of the Respondent from their position within the SSMU and its affiliated Clubs, Services, or Independent Student Group
 - c) Suspension of financial support by the SSMU for Clubs, Services, or Independent Student Groups that violate this Policy
 - d) Dismissal of the Respondent from their position within the SSMU
- 11.4. Recommendations for Resolution made by the Equity Officers shall be ratified by a majority vote of Legislative Council.
- 11.4.1. If Legislative Council does not approve the Recommendations for Resolutions made by the Equity Officers, the Recommendations shall be referred back to the Equity Officers for revision and presentation at the next session of Council.
- 11.4.2. If Council rejects the Recommendations following revision, it shall submit a reference to the SSMU Judicial Board explaining its reasons for withholding ratification.
- 11.5. Within a week of being ratified, the Equity Officers will submit the final report to the General Manager for addition to the Equity Log. The Claimant and Respondent



will also be provided with a copy of the final report. The report shall consist of but is not limited to facts, full reasons and recommendations.

- 11.6. In the case of more serious violations, the Claimant may be recommended to seek the administrative powers of the University, or an external legal source. The Claimant may do so regardless of the Claimant's recourse to the SSMU Equity Complaints Investigation Committee.

12. Formal Resolution Process Timeline

- 12.1. The Investigators must forward the complaint filed by the Claimant to the Respondent the day that the complaint is filed
- 12.2. The Respondent must file a response to the Complaint within five (5) days of the filing of the Complaint by the Claimant
- 12.3. If the Respondent fails to file a response within five (5) days of the filing of the Complaint they may file a response within an additional five (5) days, but must provide
- 12.4. Reasons for the delay which will be reviewed and evaluated by the Investigators. The Investigators may reject to accept the response on the basis of the provided reasons.
- 12.5. Five (5) days following the filing of the complaint by the Claimant the Investigators may interview the Claimant and the Claimant's witnesses. The Investigators have (5) days to do so.
- 12.6. Ten (10) days following the filing of the complaint by the Claimant the Investigators may interview the Respondent and the Respondent's witnesses, provided that the respondent has provided a response. The Investigators have 5 days to do so.
- 12.7. Fifteen (15) days following the filing of the complaint by the Claimant, the Investigators must provide all material gathered during the interview process to both the Claimant and the Respondent. Additionally, the Investigators must provide the Claimant with the response filed by the Respondent. The Respondent and the Claimant shall have five (5) days to respond to this material and file their responses with the Investigators.



- 12.8. Twenty (20) days following the filing of the Complaint by the Claimant, the Investigators shall begin the review of all the material (complaint, interview and responses etc.) and draft a report containing but not limited to facts, reasons and recommendations regarding the complaint. The Investigators shall do so within 10 days of the start of this process. Accordingly the Report must be issued within thirty (30) days of the filing of the complaint by the Claimant.

13. Judicial Review

- 13.1. If either the Claimant or Respondent is unsatisfied with the result of an investigation, they have the right to file an appeal to the SSMU Judicial Board.
- 13.2. Once the report is filed in the Equity Log, the Claimant and/or Respondent has 10 days to file an appeal.

14. Confidentiality during a Complaints Process

- 14.1. Confidentiality must be respected at all times during the resolutions processes, including Mediation and Investigation. However, those implicated in a Complaint have the right to be given enough information so that they are able to respond and defend their interests.
- 14.2. A Claimant who seeks informal or formal resolution must be prepared to be identified to the Respondent.
- 14.3. Everyone involved in a Complaint will be asked to sign a confidentiality agreement that outlines their responsibility to ensure confidentiality in all their verbal, written and taped communication, formal and informal, to respect the right to fair process for the Claimant and Respondent.
- 14.4. Any electronic documents shared between the Equity Officers, Claimant and Respondent will be password-protected.
- 14.5. Personal information connected to a Complaint will only be shared in connection with those responsible for administering this Policy, investigating and processing the Complaint, determining appropriate remedies or sanctions, or for a consistent and related purpose.

Sula Sidnell-Greene 2015-4-7 7:15 PM

Comment [25]:
Removed section 11.3. because it was redundant

Sula Sidnell-Greene 2015-3-9 5:28 PM

Comment [26]:
Deleted description of what 'trust in confidentiality' encourages. Could include in a footnote but out of place in operational part of the policy.

Sula Sidnell-Greene 2015-3-9 5:30 PM

Comment [27]:
Deleted "confidentiality is different from anonymity" because it was descriptive.



- 14.6. When the resolution is discussed in SSMU Council, a confidential session will be declared, and all names and identifying features of the Claimant and Respondent will be removed from the report.

15. Conflicts of Interest

- 15.1. Upon receiving an Equity Complaint, Equity Officers must declare a conflict of interest should there be one.
- 15.2. Any Equity Officer who declares a conflict of interest regarding an Equity Complaint must abstain from all stages of conflict resolution, including formal and informal resolution.
- 15.3. Failure of an Equity Officer to declare a conflict of interest regarding Equity Complaint will result in review or suspension from the Equity Complaints Investigation Committee, at the discretion of the other members of the committee based on the seriousness of the violation.

16. Unsubstantiated Complaints

- 16.1. If there is not enough evidence to support the complaint, or if the complaint is outside the jurisdiction of the Equity Policy, the Investigators will be unable to recommend remedies. However, **they must provide the Claimant with an explanation of why the Complaint cannot be pursued.**
- 16.2. In the event that the Complaint or ensuing process was made in bad faith, the Claimant will be subject to the same possible remedies as the Respondent. The person unjustly accused of an Equity Policy violation will have their reputation restored, and will be given the benefit of any necessary remedies, including, but not limited, to a public statement from the Equity Officers.

17. Documentation – Equity Log

- 17.1. Any formal or information recommendation and/or action shall be documented in writing and provided to the Claimant and to the Respondent.
- 17.2. The Equity Log will be a confidential document.

18. Limitations

Sula Sidnell-Greene 2015-3-9 5:38 PM

Comment [28]:
Revised for clarity and conciseness.

Sula Sidnell-Greene 2015-3-11 3:19 PM

Comment [29]:
Removed 14.3. because it suggests that the Equity Commissioners could act against someone without having a complaint filed against them.



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- 18.1. No Complaint shall be considered with respect to an incident that occurred more than six full months prior to the Complaint.
- 18.2. Nothing in this Policy precludes either party from exercising any recourse available external of the SSMU.

Sula Sidnell-Greene 2015-3-9 5:40 PM

Comment [30]:
Removed "discrimination or harassment" because this portion refers to complaint falling within the jurisdiction of the Equity Policy; it does not appear to be necessary to define it specifically in terms of discrimination/harassment.

APPROVED