



## 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 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 People, Queer People, and People with Disabilities. The effectiveness of this structure is still in question, and undergraduate students have taken 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.<sup>1</sup> This 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.

## 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. Respect requires full consideration of human beings and upholding a high commitment to human dignity. By adopting this policy, the SSMU strives to create a community that exceeds social standards of equitable treatment, creating a safer space for all of our members where collegial debate and marginalized ideas can flourish within a respectful atmosphere.
- 2.3. To support this responsibility as well as the SSMU's mission of Service, Representation, and Leadership, the SSMU will promote a functional anti-oppressive environment. We acknowledge that a functional anti-oppressive environment is achieved through:
  - 2.3.1. Recognition that systematic processes and cultural biases disadvantage certain groups of people;
  - 2.3.2. Proactive steps to challenge and acknowledge the current and historical processes and biases that affect the safety and well-being of these disadvantaged groups;
  - 2.3.3. Acknowledgment that certain groups of socially privileged people knowingly or unconsciously benefit from this process and do not have the same experience of disrespect and exclusion as those in disadvantaged groups;
  - 2.3.4. Proactive steps to challenge the actions, attitudes, and assumptions that result from this social privilege.
- 2.4. The SSMU understands that historically and culturally disadvantaged groups and persons are subject to systematic marginalization and oppression, based on ascribed or asserted characteristics related to personal aspects including, but not limited to, gender identity, gender expression, age, race, ethnic or national origin, religion, sexuality, sexual orientation, mental and/or physical abilities, language, size, or social class.
- 2.5. The SSMU condemns harassment or discrimination of disadvantaged groups on the basis of, but not limited to, gender identity, gender expression, age, race, ethnic or

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



national origin, religion, sexuality, sexual orientation, mental and/or physical abilities, language, size, or social class. The SSMU regards harassment and or discrimination on the basis of these considerations as serious offences that undermine its constitutional commitment to respect. Condemnation of harassment or discrimination does not undermine its constitutional commitment to respect. Condemnation of harassment or discrimination does not prevent any program or activity whose purpose is to improve the conditions of a specific disadvantaged individual or group.

- 2.6. The SSMU will actively support projects and policies that aim to end discrimination or to promote accessibility and inclusiveness in the McGill community. In accordance with this, the SSMU and its affiliated Clubs and Services will not affiliate or collaborate with organizations known to promote or engage in the previously mentioned discrimination or harassment.

### **3. Scope**

- 3.1. This Policy shall apply to:
  - 3.1.1. Staff, elected representatives, 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, and promotions held in the William Shatner University Centre.
- 3.2. Neither this Policy in general, nor its definitions in particular, are 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 on legitimate topics provided that such discussion is conducted in a respectful, non-coercive, collegial manner that conforms to the Policy on discrimination and harassment set out in Section 2 of this Policy.
- 3.3. If the Equity Complaint involves physical or sexual assault, both of which are criminal offences, or if the subject matter of an Equity Complaint involves persons or bodies outside the jurisdiction of the SSMU, including, but not limited to, McGill Administrative units, faculty members, libraries, and Student Services, this Policy and the procedures therein are not the appropriate venue for resolution. For issues of harassment and discrimination, the Claimant may also be referred to the Quebec Human Rights Commission. The Equity Officers may serve as a resource in referring the Claimant to the appropriate channels.



#### 4. Definitions

- 4.1. *Equity*: in the context of this Policy, Equity refers to the respect of and equality of opportunity.
- 4.2. *Diversity*: the existence of differences among members of a community based on gender identity, gender expression, age, race, ethnic or national origin, religion, sexuality, sexual orientation, mental and/or physical abilities, language, size, or social class.
- 4.3. *Oppression*: means the exercise of power by a group of people over another group of people with specific consideration of cultural, historical, and living legacies.
- 4.4. *Privilege*: an exclusive benefit, right, advantage, or immunity maintained by a group of persons to the disadvantage of others.
- 4.5. *Marginalization*: the relegation of certain persons and social groups to positions of lesser agency, power, and participation within society.
- 4.6. *Disadvantage*: a circumstance or a situation that puts an individual or a group of people 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, whether it is prejudiced or unprejudiced.
- 4.8. *Harassment*: any behaviour, act, comment, or display that demeans, belittles, and/or causes personal, psychological, or social harm to an individual or group, including an act or 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).
- 4.12. *Investigators*: persons who will investigate the complaint. The investigators are two (2) or more Equity Officers. If the complaint is against one or more Equity Officers, these last shall not be investigators. Notwithstanding the above, 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.



- 4.13. *Respondent* means the party against whom a Complaint is brought.
- 4.14. *Support person*: a person whom the Claimant or the Respondent selects to assist them throughout the Resolution process. The support person's role is not to present or respond on behalf of either the Respondent or Claimant; rather, they may take notes and give advice to the party they are supporting.
- 4.15. *Mediation*: the initiation of a proactive 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 organization. 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 will be Equity Officers.
- 6.1.2. One (1) member of the Executive Committee will be selected by the Executive Committee and approved by Legislative Council to serve as Equity Officers. In the event that no members of the Executive Committee express interest in or are not deemed appropriate for the position of Equity Officer, Council will elect Equity Officers from its membership to fill the vacant spot(s). Preference in selection will be given to Councillors who have a background in Equity.
- 6.1.3. One (1) Committee Member-at-Large. The call-out will be released in March



during the current academic year and September of the following academic year. The Committee shall be selected by the 3<sup>rd</sup> week of September soon after the Add/Drop deadline.

- 6.1.4. The Equity Officers shall participate in anti-oppressive training, organized by groups including but not limited to: Queer McGill (QM), Union for Gender Empowerment (UGE), Sexual Assault Centre of the McGill Students' Society (SACOMSS), First Peoples' House (FPH), Office for Students with Disabilities (OSD), and Racialised Students Network (RSN).

## **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.
  - 7.2.6. Throughout this process, the Claimant and the Respondent have the right to be



accompanied at any and all times by a support person, who may take notes and give advice to the party they are supporting. Any interviewing or questioning may also be temporarily stopped to allow a support person and their party to discuss an issue or question privately. The support person may not be a supervisor of either the Claimant or the Respondent.

## **8. Informal Resolution Process: Mediation**

- 8.1. 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.
- 8.2. Either party has the right to refuse mediation, without reprisal.
- 8.3. If either implicated party feels as though the informal resolution process has not produced a resolution, then a formal investigation shall be initiated.

## **9. Formal Resolution Process: Investigation**

- 9.1. 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:
  - 9.1.1. To the Equity Officers, unless it is a Complaint against one or more of the Equity Officers.
  - 9.1.2. 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.
- 9.2. 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 minutes 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. Both the Claimant and the Respondent have the right to be accompanied by someone with whom they feel comfortable during any interviews or meetings.
  - 9.2.1. 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, on a balance of probabilities, the Equity Policy violation has occurred, recommending appropriate remedies.

- 9.2.2. 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.
  - 9.2.3. 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.
- 9.3. 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
- 9.4. Recommendations for Resolution made by the Equity Officers shall be ratified by Legislative Council. If the Legislative Council by vote of two thirds (2/3) abstains from ratifying the report, then it shall submit a reference to the SSMU Judicial Board explaining its reasons for withholding ratification.
- 9.5. 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.
- 9.6. 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.

## **10. Formal Resolution Process Timeline**

- 10.1. The Investigators must forward the complaint filed by the Claimant to the Respondent the day that the complaint is filed
- 10.2. The Respondent must file a response to the Complaint within five (5) days of the



#### filing of the Complaint by the Claimant

- 10.3. 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
- 10.4. 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.
- 10.5. 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.
- 10.6. 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.
- 10.7. 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.
- 10.8. 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.

### **11. Judicial Review**

- 11.1. 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.
- 11.2. Once the report is filed in the Equity Log, the Claimant and/or Respondent has 10 days to file an appeal.
- 11.3. The SSMU Judicial Board shall review the matter on appeal according to the standard of reasonableness.

### **12. Confidentiality during a Complaints Process**

- 12.1. Confidentiality must be respected at all times during the resolutions processes, either Mediation or Investigation. Trust in confidentiality also encourages individuals to come



forward with their Complaint. 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.

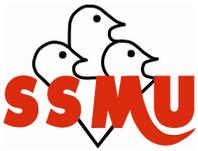
- 12.2. Confidentiality is different from anonymity. An individual Claimant who seeks informal or formal resolution must be prepared to be identified to the Respondent.
- 12.3. Everyone involved in a Complaint will be asked to sign a confidentiality agreement that outlines their responsibility to ensure confidentiality in all their verbal, written and taped communication, formal and informal, to respect the right to fair process for the Claimant and Respondent.
- 12.4. Any electronic documents shared between the Equity Officers, Claimant and Respondent will be password-protected.
- 12.5. 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.
- 12.6. 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.

### **13. Conflicts of Interest**

- 13.1 Upon receiving an Equity Complaint, Equity Officers must declare a conflict of interest should there be one.
- 13.2 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.
- 13.3 Failure of an Equity Officer to declare a conflict of interest regarding an 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.

### **14. Unsubstantiated Complaints**

- 14.1. If there is not enough evidence to support the complaint, or if the complaint is outside the jurisdiction of the Equity Commission, the Investigators will be unable to recommend remedies, however they must provide full reasons for their finding of lack of evidence and/or jurisdiction. Such decisions should be reviewed on a standard of correctness.



- 14.2. In the event that the Complaint or the process ensuing therefrom was made in bad faith, that is made deliberately and maliciously filed knowing it had absolutely no basis, 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.
- 14.3. Anyone who retaliates in any way against a person who has been involved in an Equity Complaint will be subject to the same possible remedies outlined above.

### **15. Documentation – Equity Log**

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

### **16. Limitations**

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



## Appendix A

Recognizing the footprints behind us helps to determine a planned course of action for the future. The following articles acknowledge the progress made by our predecessors while indicating that some members are excluded in the current legislation.

McGill University has several articles in its *Charter of Students' Rights* (July, 2003) recognizing equity in its broadest form.

Article 2.1. Every student has a right to equal treatment by the University; this right must not be impaired by discrimination based on race, color, ethnic or national origin, civil status, religion, creed, political convictions, language, sex, sexual orientation, social condition, age, personal handicap or the use of any means to palliate such a handicap.

Article 3. Every student has a right to the safeguard of his or her dignity and a right to be protected by the University against vexatious conduct displayed by a representative of the University acting in an official capacity.

Article 7. The University has an obligation to maintain safe and suitable conditions of learning and study.

The Students' Society of McGill University has passed several policies over the years to deal with varying aspects of discrimination and harassment.

*Approved By: Legislative Council Date: March 14, 1989*

Any written or graphic material which is published, distributed, endorsed or funded by the Society shall be governed by the following: No material will discriminate against any member or group within the Society on the basis of race, sex, sexual orientation, religious belief, disability, age or financial status. Activities endorsed or funded by the Society, its Clubs, or interest groups shall also abide by the above.

*Approved By: Legislative Council Date: April 10, 1990*

The Students' Society of McGill University recognizes that racism is detrimental to the dignity of all people. The SSMU will not knowingly endorse or do business with parties that violate Canadian or United Nations' sanctions.

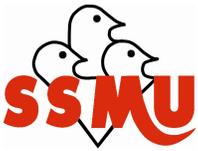
*Approved By: Legislative Council Date: February 9, 1992*

The Students' Society will not facilitate outside organizations or individuals from promoting themselves in the William Shatner University Centre if they discriminate on the basis of, but not limited to, gender, age, race, ethnic or national origin, religion, sexual orientation, mental or physical disability, language or social class, notwithstanding the Society's commitment to affirmative action.



The Students' Society will not directly or indirectly allocate funds to be used to facilitate association with or promotion of groups or individuals that discriminate on the basis of, but not limited to, gender, age, race, ethnic or national origin, religion, sexual orientation, mental or physical disability, language, or social class, notwithstanding the Society's commitment to affirmative action.

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## **Appendix B: Previous Policy: Adopted by SSMU Council February 2008**

### **Policy on Equity**

#### **1. Background**

On February 21, 1996, the Subcommittee of Race and Ethnic Relations proposed to Senate a Policy on Discrimination and Harassment. Seven articles out of thirty-five from the entire document, which addressed an overall concept and definitions, were approved. In 2002-2003, the Joint Senate-Board Committee on Equity (JSBCE) Workgroup on the Harassment and Discrimination Policy was struck to evaluate the question, "Does McGill University need a Policy on harassment and discrimination?"

#### **2. Preamble**

The Students' Society of McGill University (SSMU) is committed to creating, promoting, and engaging its membership in an environment that fosters respect. The Government of Quebec and McGill University have recognized individual rights and responsibilities relating to harassment and discrimination such as the Quebec Charter of Human Rights and Freedoms, the Civil Code of Quebec, an Act respecting Occupational Health and Safety, an Act respecting Labour Standards, and McGill University's Charter of Students' Rights, its Code of Student Conduct and Disciplinary Procedures, its Code of Student Grievance Procedures, Policy Concerning the Rights of Students with Disabilities, and the Policy on Discrimination and Harassment.

#### **3. Vision**

The SSMU – an organization working with individuals, in groups, within organizations, and across a wide social and political context – shall promote an anti-oppressive environment that fosters a culture of respect and facilitates our mission of Service, representation, and leadership.

#### **4. Objectives**

- a. The intent of this Policy is that the behaviour of all members of the Society will reflect:
  - i. Fair and equitable treatment of all persons.
  - ii. Personal and professional integrity.
  - iii. Respect for academic freedom.
  - iv. Respect for diversity.
  - v. Respect for personal and Society property.
  - vi. Respect for safety.
  - vii. Respect for the dignity of all persons.

The SSMU condemns harassment or discrimination on the basis of, but not limited to, gender, age, race, ethnic or national origin, religion, sexuality or sexual orientation, mental or physical abilities, language, or social class, but not precluding any program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, gender, sexual



orientation, language, age or mental or physical disability. The SSMU regards harassment or discrimination on the basis of these considerations as serious offences. Neither this Policy in general, nor its definitions in particular, are to be applied in such a way as to detract from the right of members to engage in the open discussion of potentially controversial matters. No student organization should have the effect of limiting dialogue on these legitimate topics provided that such discussion is conducted in a respectful and non-coercive manner.

## **5. Protocol**

- a. This Policy shall apply to the members and to the staff of the Students' Society of McGill University and the activities and events hosted by the SSMU and SSMU affiliated Clubs and Services.
- b. Scope: This Policy shall also apply to activities or events held in the William Shatner University Centre.
- c. The members of the SSMU listed below are constituted Equity Officers:
  - i. The Equity Commissioner
  - ii. The Vice-President (University Affairs)
  - iii. The Vice-President (Clubs and Services)
  - iv. The President
- d. Responsibilities
  - i. It is the responsibility of the Equity Officers individually or collectively to receive Complaints, investigate, and report back to the parties in a timely fashion.

## **6. Complaints**

- a. All Complaints shall be submitted in writing, or addressed in writing to an Equity Officer.
- b. A Complaint can be received anonymously. However, no formal resolution will occur unless the appellant(s) chooses to identify themselves. Such Complaints will be noted in the Equity log as having been submitted anonymously.
- c. All Complaints submitted by an identified party will be investigated, provided the appellant party 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.
- d. It is at the discretion of the Equity Officers whether a Complaint will be dealt with:
  - i. Informally: through discussion with both appellant and Respondent individually, potentially followed by a group discussion.
  - ii. Formally: by submitting recommendations to committees such as, but not limited to, the Student Equity Committee, the Finance Committee, and/or the Executive Committee for resolution.
- e. The Complaint will be investigated primarily by the Equity Officers; in certain cases, the Finance Committee and the Executive Committee will be consulted for further investigation and procedural matters.
- f. In the case of more serious violations, the Complaint may be referred to the administrative powers of the university, or to an external legal source.

**7. Discipline Act(s)** of discrimination and harassment will be considered an offence and subject



to disciplinary action such as but 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 publications.
- c. Suspension of financial support by the SSMU for Clubs, Services, or publications, which violate this Policy.
- d. Dismissal of the Respondent from their position within the SSMU.

#### **8. Documentation – Equity Log**

- a. Any formal decision and/or action shall be documented in writing and provided to the appellant and to the Respondent. A copy of the report must be signed by an Equity Officer and a witness, confirming that both the appellant and Respondent received the report.
- b. A copy of all written Complaints shall be kept in the Equity Log.
- c. Any informal action undertaken shall be noted in the Equity Log, along with the signature of an Equity Officer,

#### **9. Limitations**

- a. No Complaint shall be considered with respect to an incident of discrimination or harassment, which occurred more than one calendar year prior to the Complaint.
  - i. Preamble of SSMU Constitution. Articles 6-8, Page 2. January 15 , 2010
  - ii. Walksafe and Drivesafe were created as a response to the increased recurrence of assault towards women in Montreal and were involved in certain women's movements in the 90s such as "Take Back the Night". (100 Years of SSMU)
  - iii. Exploitation: when a dominant group of people uses their position of power to impose limitations/laws/servitude/taxes upon a less dominant/powerless
  - iv. Marginalization: means the creation of a dominant group of people which is defined as the "normal" group, creating classes of "others" or people who do not fit into the dominant group. These groups are thus "at the margins" of society, and deemed not belonging to society or not worthy of certain rights or privileges group of people to their own benefit because of their "otherness".
  - v. Powerlessness: is when a group does not have power/agency/sovereignty over their own bodies, livelihood, life path, etc.
  - vi. Cultural Imperialism: is when the culture of a dominant class of people is normalized and all other cultures are identified as abnormal/wrong/lesser than this dominant culture.
  - vii. Violence: when cultural norms or power distributions lead to damage, humiliation, or physical harm of a person or their assets/property
  - viii. Iris Young. Five Faces of Oppression. Oppression, Privilege, & Resistance. McGraw-Hill,
  - ix. van Eyken, Eric. 100 Years of SSMU. Students' Society of McGill University.
  - x. Fzli, Shehyrar. New Policy on discrimination. The McGill Tribune, 11/28/00. 2004. Pg. 37-63. Pg. 24. 2010
  - xi. D'Souza, Kim. Succinct Senate Summary. The McGill Tribune, 2/17/04. Approved by the Legislative Council on March 14, 1989.
  - xii. Similar Policy approved by Legislative Council on the March 14 , 1989



## Appendix C: Previous Policy: Adopted by SSMU Council November 2010

### 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 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.”<sup>i</sup>

The SSMU's history has seen extensive student organization against sexism, racism, homophobia, classism, and other forms of discrimination on the local, University, Provincial, Federal, and International levels. The SSMU counts among its Services student groups with a strong commitment to equity, safety, and the creation of safe(r) spaces for its membership; including Queer McGill, the Union for Gender Empowerment, the Black Students Network, the Sexual Assault Centre of McGill's Students' Society, Walksafe, and Drivesafe<sup>ii</sup>. 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 Gay rights; the SSMU and its members have played an active part in the struggle for equal 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 disadvantaged persons can come together and create communities centered on ways to enact



positive change to better their situation.

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. Oppression is defined by Iris Young as the interaction between “Exploitation <sup>iii</sup>, Marginalization <sup>iv</sup>, Powerlessness <sup>v</sup>, Cultural Imperialism <sup>vi</sup>, and Violence <sup>vii</sup>” imposed by a dominant class of people onto a powerless class of people through systems (formal laws and institutional practices) and interpersonal interactions. <sup>viii</sup>

By incorporating anti-oppression practice into the SSMU, we expanded our formal understanding of Equity 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 regulation of 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. <sup>ix</sup>

McGill University created the Joint Senate Board Committee on Equity in 1994.<sup>x</sup> Today, this Committee has grown into an umbrella group with five subcommittees on Women, Race and Ethnicity, First People, Queer People, and People with Disabilities. The effectiveness of this structure is still in question, and undergraduate students have taken an active role in pushing for equitable practices at McGill. In 2004 McGill created its first interim Policy on Harassment. <sup>xi</sup> 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 Policy on Equity is the culmination of revisions done by the 2008-2009 and 2009-2010 Equity Committees and is based off of the most recent Equity Policy passed at Legislative Council on March 6th, 2008.

## 2. Definitions

- 2.1. *Oppression* means the exercise of power by a group of people over another group of people with specific consideration of cultural, historical, and living legacies.
- 2.2. *Privilege* means a benefit, right, advantage, or immunity usually allocated to and held by a small, "dominant" group of persons to the disadvantage of others.
- 2.3. *Marginalization* means the creation of a dominant group of people which is defined as the "normal" group, creating classes of people who do not fit into the dominant group. These groups are thus "at the margins" of society, and deemed not belonging to society or not worthy of certain rights or privileges.
- 2.4. *Disadvantage* occurs when a group or person is denied equal treatment, access to resources and opportunities, respect, and/or safety of person;
- 2.5. *Complaint* a formal written declaration of a violation of the Equity Policy to the Equity Officers.
- 2.6. *Appellant* means the person or group which has experienced the alleged discrimination and/or harassment.
- 2.7. *Respondent* means the person or group which has been accused of committing an action which may be defined as harassment or discrimination as defined in this Policy.
- 2.8. *Discrimination* means the differential treatment of an individual, typically to their disadvantage.
- 2.9. *Harassment* means an overt act of discrimination.
- 2.10. *Minority* means a group or individual having little power or representation relative to other groups within society.

## 3. Scope

- 3.1. This Policy shall apply to:
  - 3.1.1. The members and the staff 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. <sup>xii</sup>
  - 3.1.4. Activities, events, and promotions held in the William Shatner University Centre.
  - 3.1.5. Funding allocated by the Society.
- 3.2. Neither this Policy in general, nor its definitions in particular, are 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 on legitimate topics provided that such discussion is conducted in a respectful, non-coercive, collegial manner that conforms to the Policy



on discrimination and harassment set out in section 4 of this Policy.

#### 4. Policy Statement

The SSMU has a responsibility, as a leader, representative, and Service provider to a diverse membership, to conduct ourselves by the highest standards of respect, fairness, integrity, safety and equitable treatment for all persons. At the forefront of this responsibility are, respect for personal and professional integrity, dignity, academic freedom, diversity, personal and social property, for safety. We strive to create a community that exceeds social standards of equitable treatment, creating a safe haven for all of our members where collegial debate and marginalized ideas can flourish in a culture of respect.

To support this responsibility as well as our mission of Service, representation, and leadership, the SSMU will promote a functional anti-oppressive environment.<sup>xiii</sup> We acknowledge that a functional anti-oppressive environment is achieved through...

- (1) recognizing that systematic processes and cultural biases disadvantage certain groups of people on the basis of irrelevant personal characteristics;
- (2) taking proactive steps to challenge and acknowledge the current and historical processes and biases that affect the safety and well-being of these disadvantaged groups;
- (3) acknowledging that certain groups of socially privileged people knowingly or unconsciously benefit from this process and do not have the same experience of disrespect and exclusion as those in disadvantaged groups;
- (4) and taking pro-active steps to challenge the actions, attitudes, and assumptions that result from this social privilege.

The SSMU understands that groups historically and culturally disadvantaged on the basis of irrelevant personal characteristics include but are not limited to women, trans\* and gender-non-conforming persons, indigenous persons, Métis, people of color, visible minorities, ethnic minorities, queer people, people with disabilities, people whose language is not that of dominant usage, persons without citizenship status, immigrants, refugees, people who do not conform to dominant size norms, or people from a disadvantaged socio-economic status. This does not prevent any program or activity whose purpose is to improve the conditions of a specific disadvantaged individual/group from conducting business that maintains a specific focus on that individual/group.

The SSMU condemns harassment or discrimination of disadvantaged groups on the basis of, but not limited to gender, gender expression, age, race, ethnic or national origin, religion, sexuality or sexual orientation, mental or physical abilities, language, size, or social class. The SSMU regards harassment or discrimination on the basis of these considerations as serious offences. This does not prevent any program or activity whose purpose is to improve the conditions of a specific disadvantaged individual or group from conducting The SSMU will actively support projects and policies that aim to end discrimination or to promote accessibility and inclusiveness in the McGill community. In accordance with this,



the SSMU and its affiliated Clubs and Services will not affiliate or collaborate with organizations known to promote or engage in the previously mentioned discrimination or harassment.

## 5. Protocol

### 5.1. Equity Officers

5.1.1. The Society will have 4 Equity Officers.

5.1.2. Selection of Equity Officers

5.1.2.1. The Equity Commissioner will be an Equity Officer.

5.1.2.2. Three (3) members of the Executive Committee will be selected by the Executive Committee and approved by Legislative Council to serve as Equity Officers.

5.1.2.2.1. In the event that three (3) members of the Executive Committee do not express interest in or are not deemed appropriate for the position of Equity Officer, Council will elect Equity Officers from its membership to fill the vacant spot(s).

5.1.2.2.2. Preference in selection will be given to Executives and Legislative Council members who have received Anti-oppression training.

5.1.3. Responsibilities

5.1.3.1. It is the responsibility of all Equity Officers to uphold the Equity Policy.

5.1.3.2. It is the responsibility of at least two Equity Officers (one of whom must be the Equity Commissioner) to receive Complaints, investigate, and report back to the implicated parties in a timely fashion.

5.1.3.3. It is the responsibility of all Equity Officers, in Consultation with the Student Equity Committee, to research and address systemic issues of discrimination, harassment, and oppression within the SSMU.

5.1.3.4. Equity Officers must attend Student Equity Committee meetings.

5.1.4. Accessibility

5.1.4.1. Upon selection, the Equity Officers will be advertised over the SSMU Listserv.

5.1.4.2. The Equity Officers will be given a page on the SSMU Website with their contact information and a copy of the Equity Policy.

### 5.2. Complaints

5.2.1. All Complaints shall be submitted in writing, or addressed in writing to an Equity Officer.

5.2.2. Complaints submitted by persons who are not members or staff of the Society



- can be pursued informally, at the discretion of at least two (2) Equity Officers.
- 5.2.3. A Complaint can be submitted anonymously.
  - 5.2.4. All Complaints submitted will be investigated, provided the appellant party is willing to assist the Equity Officers in a capacity that will not put their personal safety of the safety of any other individual or group at risk.
  - 5.2.5. Equity Officers shall be empowered to seek any information that is not explicitly confidential.
  - 5.2.6. Complaints will be investigated primarily by the Equity Officers; in certain cases, the Student Equity Committee, and or the Executive Committee will be consulted for further investigation and procedural matters.
  - 5.2.7. All Complaints will be resolved as per the stipulations in section 5.3.
- 5.3. Discipline and Resolution of Complaints Act(s) of discrimination and harassment will be considered an offence and subject to disciplinary action. Disciplinary action in the case of SSMU Employees is an HR matter and is at the discretion of the Executive Committee and General Manager. Disciplinary actions and resolutions include, but are not limited to:
- 5.3.1. Letter(s) of apology.
  - 5.3.2. Suspension of the Respondent from their position within the SSMU and its affiliated Clubs, Services, or publications.
  - 5.3.3. Suspension of financial support by the SSMU for Clubs, Services, or publications that violate this Policy.
  - 5.3.4. Dismissal of the Respondent from their position within the SSMU.
  - 5.3.5. In the case of more serious violations, the Complaint may be referred to the administrative powers of the University, or to an external legal source.
- 5.4. Documentation – Equity Log
- 5.4.1. Any formal decision and/or action shall be documented in writing and provided to the appellant and to the Respondent.
  - 5.4.2. A copy of the report must be signed by and Equity Officer and a witness, confirming that the report was received by both appellant and Respondent.
  - 5.4.3. A copy of all written Complaints shall be kept in the Equity Log.
  - 5.4.4. Any informal action undertaken shall be noted in the Equity Log, along with that signature of an Equity Officer.
  - 5.4.5. The Equity Log will be a Confidential Document.
- 5.5. Limitations
- 5.5.1. No Complaint shall be considered with respect to an incident of discrimination or harassment, which occurred more than one calendar year prior to the Complaint.
  - 5.5.2. Nothing in this Policy precludes either party from exercising any recourse available external of the SSMU.