

Policies of the SSMU Board of Directors

Updated as of 2020-04-02





Association étudiante de l'Université McGill

Située sur les territoires traditionnels des collectivités Haudenosaunee et Anishinaabe.

Students' Society of McGill University

Located on Haudenosaunee and Anishinaabe, traditional territories.

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POLICIES OF THE SSMU BOARD OF DIRECTORS

SSMU's policies provide detailed guidance on the execution and pursuit of general goals and values held by the Society, as laid out in other governance documents. Some policies must be adaptable given the shifting landscape of SSMU's staffing structure and resource allocation, which itself follows the prioritization of certain projects in a given academic year. As such, policies are subject to a five-year cyclical review unless otherwise indicated. Amendments made throughout the five-year period do not reset the review cycle. The Implementation Guide (appended below) outlines best practices for creating and amending policies.

Because the governance of the Society applies to different groups depending on the subject at hand, some policies are under the purview of the Legislative Council (often with regard to policies related to external-facing issues or best practices for advocacy), while others are other the purview of the Board of Directors (largely those related to human resources, finances, and legal matters). This book outlines those policies that are monitored by the Board of Directors, a body that meets bi-weekly and has a membership chosen for their deep knowledge of SSMU's structures, campus life, and the primary areas of responsibility of the Board of Directors. Largely, these policies direct the work of the Executive Committee and office Staff in maintaining the proper functioning of the SSMU, particularly as this relates to questions of Human Resources.

All representatives and employees whose actions receive guidance from policies (often identified in the "Scope") are expected to conduct themselves in accordance with the Policy Books to the best of their ability. The Board of Directors Policy Book is updated regularly based on the resolutions brought to the Legislative Council, Board of Directors, and General Assembly. General questions regarding SSMU's policies can be directed to governance@ssmu.ca or president@ssmu.ca. Questions regarding SSMU governance, including how to adopt a new policy, can be directed to president@ssmu.ca.



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Conflict of Interest Policy

Date Adopted: 2019/02/21

Expires: 2023/05/01

[Adopted Motion](#) (Link)

1. Scope

The Conflict of Interest Policy (“the Policy” or “this Policy”) applies to Directors, Councillors, Officers, Senators, committee members (including members-at-large), part-time and full-time employees, volunteers, and all other persons involved in Society decision-making processes for the duration of their involvement with the Society (“Concerned Individual(s)”).

2. Definitions

Capitalized terms set forth herein and not otherwise defined shall have the meaning ascribed to them in the Society’s Constitution.

Within the meaning of the Policy,

2.1 “Apparent Conflict of Interest” shall mean a situation in which a reasonable, well-informed person believes that a Financial Interest, Interpersonal Interest, Professional Interest, or Personal Interest could improperly influence the performance of a Concerned Individual’s duties and responsibilities, whether or not it is the case;

2.2 “Breach of the Conflict of Interest Policy” shall refer to a situation in which a Concerned Individual has not properly addressed a Conflict of Interest by failing to address it in an appropriate manner when they ought reasonably to have known to disclose it, as determined in accordance with the Policy;

2.3 “Conflict of Interest” shall mean any situation that is sufficient to affect, or provide incentive to affect, the Concerned Individual’s impartiality in their conduct of Society activities, including the events and circumstances detailed herein. Provided the Conflict of Interest is appropriately recognized, disclosed, assessed, and addressed, the existence of a Conflict of Interest does not connote misconduct;



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2.4 **“Financial Interest”** shall mean any financial or pecuniary interest of any kind which, in view of all of the circumstances, is substantial enough that it would, or reasonably could, affect a Concerned Individual’s judgment and ability to independently make decisions or conduct business in the best interests of the Society with respect to their involvement with the Society;

2.5 **“Interpersonal Interest”** shall mean any relationship a Concerned Individual has with other individuals, including, but not limited to, a current or former romantic or sexual partner, friend, peer, family member, colleague (from occupations including but not limited to remunerated work, student group activities, projects, student group leadership, involvements with clubs, services, independent student groups whether registered under the Society or not, and campus publications), or roommate which would, or reasonably could, affect a Concerned Individual’s judgment with respect to their involvement with the Society;

2.6 **“Professional Interest”** shall mean any advantage or benefit that an individual may pursue regarding non-Society, professional affiliations, or career opportunities that would, or reasonably could, affect a Concerned Individual’s judgment with respect to such Concerned Individual’s involvement with the Society; and

2.7 **“Personal Interest”** shall mean any personal advantage or benefit that may be pursued by a Concerned Individual, whether a Financial Interest, Interpersonal Interest, Professional Interest or otherwise.

3. Roles and Responsibilities

The Policy shall be administered by the Board of Directors. The Human Resources Committee, working with the General Manager, shall assist the Board in administering this Policy, including helping Concerned Individuals identify and manage Conflicts of Interest and Apparent and Potential Conflicts of Interest in accordance with this Policy.

The Human Resources Committee may, where required or directed to do so by the Board of Directors, take the following actions:

3.1 Seek guidance in respect of this Policy from an Ad-Hoc Conflict of Interest Committee comprised of all members of the Society’s standing Accountability Committee under the Board of Directors and the Society’s General Manager;

3.2 Upon the prior approval of the committee, delegate their responsibilities contained herein to the committee; and



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3.3 Refer the matter to the Board of Directors as a whole with a report and associated recommendations.

Where a member of the Human Resources Committee is in a Conflict of Interest or Apparent Conflict of Interest, the Concerned Individual shall recuse themselves for the duration of the deliberations related to their Conflict of Interest.

4. Conflicts of Interest

4.1 In this Policy, a “Conflict of Interest” is defined as any situation in which a Concerned Individual has interests that could improperly influence the performance of their duties and responsibilities with respect to the Society or in which said Concerned Individual uses their position for personal gain or for the benefit of any person or entity other than the Society. A Conflict of Interest does not relate exclusively to matters concerning financial transactions and the transfer of economic benefit, such as a Financial Interest. It can arise in any area of activity that could impact the perceived objectivity of the Concerned Individual in question. A Conflict of Interest includes:

- 4.1.1.** a real conflict of interest, which exists at the present time;
- 4.1.2** an apparent conflict of interest, which could be perceived by a reasonable, well-informed person to exist, whether or not it is the case; and
- 4.1.3** a potential conflict of interest, which could reasonably be foreseen to exist in the future.

4.2 Without limiting the extent of the foregoing, the following events shall, for the purposes of this Policy, be considered Conflicts of Interest and therefore must be avoided by all Concerned Individuals:

4.2.1 Preferential treatment: a Concerned Individual using their position to influence a decision so as to further their own Personal Interests or those of a party with whom they have an Interpersonal Interest:

4.2.1.1 Interpersonal Interests between Concerned Individuals where one individual has influence or control over the other's conditions of employment are inappropriate. These relationships, even if consensual, may ultimately result in conflict or difficulties in carrying out the work of the Society. If such a relationship currently exists or develops, it must be disclosed.

4.2.1.2 Interpersonal Interests between Concerned Individuals where both are serving on the same elected decision-making body of the Society, including the Executive Committee, Legislative Council, Senate Caucus, or Board of Directors are in a Conflict of Interest that must be disclosed and proactively managed by the Speaker or Chair(s) of that decision-making body to avoid preferential treatment and/or retaliation;



4.2.2 Use of privileged information: a Concerned Individual disclosing to any person, including a Personal Interest or Professional Interest, information obtained in the course of their duties as a Concerned Individual, which information is not generally available to the public and which, once disclosed, may place or could reasonably be expected to place, the Concerned Individual in a situation where the interests of the Society are in conflict with those of the person having received the information;

4.2.3 Contracts and financial transactions: a Concerned Individual who knowingly has a Personal Interest or a Professional Interest in a Society contract or business transaction that includes but is not limited to any agreement or relationship involving the sale or purchase of goods or services, the providing or receipt of a loan or grant, the establishment of any other type of financial relationship, or the exercise of control over another organization. Such Concerned Individual shall not represent, advise, negotiate (including discussing the matter under negotiation with others within or outside the Society where they would, or reasonably could, influence the negotiations), or make decisions for the Society on this matter;

4.2.4 Hiring: a Concerned Individual involved in a hiring process involving an Interpersonal Interest, including a family member, current or former roommate and/or a current or former romantic partner, or any other significant interpersonal relations. A Concerned Individual who is part of a hiring committee is responsible for disclosing where any person with whom they have an interpersonal relationship is a candidate for hire;

4.2.5 Outside activities: Concerned Individuals should always prioritize the interests of the Society while conducting or participating in Society business. If an external activity or affiliation creates a Conflict of Interest or Apparent Conflict of Interest, the Concerned Individual must disclose it immediately;

4.2.6 Gifts, hospitality, and other benefits: Concerned Individuals shall be prudent in choosing whether to accept a gift, hospitality, donation, or other benefit from a person, group, or organization which may influence a decision or result from securing a financial transaction between the aforementioned and the Society. Accepting gifts, hospitality, or other benefits from individuals or entities can also result in a Conflict of Interest when the party providing the gift, hospitality, or other benefit does so under circumstances where it might be inferred that such action was intended to influence, compensate, or otherwise individually remunerate a Concerned Individual for a decision taken or business arrangement with the Society, or possibly would influence, the Concerned Individual in the performance of their duties.

4.2.6.1 A Concerned Individual may accept minor gifts as token courtesies (e.g., notepads, pens, coffee mugs, et cetera), but may not accept gifts that may put them in a position of obligation and under no circumstances any gifts from any person in



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excess of \$50.00 in value (be it individually or in the aggregate).

4.2.6.2 If a Concerned Individual has any doubt about the appropriateness of accepting a gift, hospitality, donation, or other benefit, the Concerned Individual must refuse, unless such a refusal would cause significant offence on cultural or religious grounds. In such circumstances where a gift is accepted because refusal would cause offence, the acceptance must be immediately disclosed in accordance with this Policy.

4.2.6.3 The Concerned Individual is welcome to consult with the Human Resources Committee before or after such an occurrence to be better prepared for any similar situations which may subsequently occur.

4.2.7 Use of Society resources: Concerned Individuals shall not use Society resources, including but not limited to office supplies, building space, staff time, or funding, in pursuit of personal or professional interests. The Society permits Concerned Individuals to use Society communication devices, including but not limited to electronic mail addresses, telephones, computers, and internet connections, for personal purposes. However, a Concerned Individual's use of Society resources should not be used to the detriment of the Society. A Concerned Individual should exercise good judgment when using Society communication devices to offer personal opinions. To avoid confusion, a Concerned Individual shall add the following notice where confusion may arise in written media: "The views expressed in this medium are mine alone and do not necessarily reflect those of the Society."

5. Disclosure

Where a Concerned Individual is in a Conflict of Interest or concerned that an Apparent or Potential Conflict of Interest may exist, they must disclose this Conflict of Interest in writing, using the *Conflict of Interest Disclosure Form* (Annex A1), to the Human Resources Manager and the General Manager as soon as the Concerned Individual becomes aware of the Conflict of Interest or Perceived Conflict of Interest.

6. Intervening Period

6.1 In the intervening period between the disclosure of a Conflict of Interest and the formal determination by the Human Resources Committee or their designate, the Concerned Individual must exercise their own sound and reasonable judgement as to whether they should take any one of the following actions:



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- 6.1.1** disclosing to the relevant decision-making body their potential Conflict of Interest as may be required by law in the case of Directors and Officers;
- 6.1.2** the details thereof;
- 6.1.3** that a disclosure has been made to the Human Resources Committee or their designate in accordance with this Policy;
- 6.1.4** voluntarily withdrawing from a meeting when business related to the Conflict of Interest is discussed;
- 6.1.5** voluntarily waiving their right to participate in debate or discussions related to the Conflict of Interest; and
- 6.1.6** voluntarily waiving their right to vote on matters related to the Conflict of Interest.

6.2 Instances where a Concerned Individual does not take reasonable steps to mitigate the circumstances surrounding their Conflict of Interest may be grounds for further sanction or disciplinary processes as allowed by this and other Policies of the Society at the direction of the Board of Directors, with or without the recommendation of the Human Resources Committee, or their designate.

The above notwithstanding, the designated individual or body described in Section 3 of this Policy may share the facts and nature of a disclosure with the relevant decision-making body before a formal determination of a Conflict of Interest has been made.

7. Determination of a Conflict of Interest

- 7.1** After reviewing the Concerned Individual's *Conflict of Interest Disclosure Form*, the Human Resources Committee or their designate, with the General Manager may determine:
- 7.1.1** there is or was no Conflict of Interest;
 - 7.1.2** there exists or existed a Conflict of Interest that is permissible if appropriately addressed by the relevant decision-making body, including as outlined by the remedies in this Policy; or
 - 7.1.3** there exists or existed a Conflict of Interest that is not permissible and subject to the remedies herein.

Should the Human Resources Committee or their designate feel unable to independently make a determination as stipulated above, they may form an Ad-Hoc Conflict of Interest Committee with the membership set out in this Policy that will then be empowered to make the determinations set out in the foregoing section.



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7.2 The Human Resources Committee or their designate shall report, in writing, their determination to the Board of Directors with the associated recommendations as appropriate, as well as to the Concerned Individual.

7.2.1 Nothing in this Policy or otherwise shall limit the Board of Directors' power to overturn the decision of the Human Resources Committee or other party as appropriate.

7.3 Where a Conflict of Interest exists, and the Concerned Individual expresses no desire to appeal that decision as per appeal procedure provided in this Policy, the Human Resources Committee or their designate shall forward the determination (placing appropriate consideration to the Concerned Individual's right to confidentiality) to the Chair(s) of the relevant decision-making bodies to which the Concerned Individual's Conflict of Interest applies and to the Officer responsible for the portfolio within which the Concerned Individual in question falls, where, for the purposes of this Policy:

7.3.1 Councillors fall under the President's portfolio;

7.3.2 Senators fall under the Vice-President (University Affairs') portfolio;

7.3.3 All Officers, including the President, fall under the collective purview of the Board of Directors as a whole;

7.3.4 Individual Directors fall under the collective purview of the Board of Directors as a whole;

7.3.5 Full-time staff fall under the purview of the General Manager, who falls under the collective purview of the Board of Directors as a whole; and

7.3.6 Part-time staff and volunteers fall under the purview of the Officer or full-time staff to whom they report regularly or that is specified on their employment contract.

The Human Resources Committee or their designate may recommend any appropriate remedies to the Concerned Individual, the Chair(s) of the relevant decision-making bodies, the Officer responsible for the portfolio within which the Concerned Individual falls, and to the Board of Directors

8. Remedies to a Conflict of Interest

In all cases, the remedies to a Conflict of Interest do not independently resolve the Conflict but rather serve to mitigate the adverse effects of a Conflict of Interest.

8.1 Once a determination has been made by the Human Resources Committee or their designate, they may recommend for adoption by the decision-making body any of the following remedies along with their written determination:

8.1.1 Proactive management of the situation by the Speaker or Chair(s) of that decision-making body to assure that the rights of all parties are protected, the work of the Society can continue in good order, and that no Concerned Individual participates in



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discussions, debates, or decisions on matters with which they have a Conflict of Interest;

8.1.2 Barring the Concerned Individual from any discussions on the matter being addressed.

The above notwithstanding, the Board of Directors may also impose any remedy they deem necessary, even if not adopted by the relevant decision-making body.

9. Appeals Procedure Following a Determination

9.1 A Concerned Individual may appeal a decision of the Human Resources Committee or their designate to the Board of Directors by sending written notice to the Chair of the Board of Directors.

9.2 The Chair(s) of the relevant decision-making body and the General Manager must be informed that the Concerned Individual has appealed the matter to the Board of Directors, and that decision-making should be postponed if possible during that period. The Chair(s) must respect the Concerned Individual's right to confidentiality, according to this Policy and the recommendations of the Human Resources Committee or their designate.

10. Alleged Breach of this Policy

10.1 If a person other than the Concerned Individual believes another person within the scope of this Policy has breached the Conflict of Interest Policy, that individual may disclose this in writing to the Human Resources Committee or their designate using the *Conflict of Interest Disclosure Form* (Annex A1).

10.2 In instances of an alleged breach of this Policy, the procedures outlined in sections 7 and 8 of this Policy shall apply in determining whether a Conflict of Interest exists and the appropriate remedies to mitigate the Conflict of Interest.

11. Breach of this Policy

Where the Human Resources Committee or their designate determines that a breach of this Policy has occurred, the matter shall be referred to the Board of Directors to determine the consequence(s) of such breach with the recommendations of the Human Resources Committee or their designate.



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In circumstances of any Conflict of Interest which are material or which cannot be effectively addressed by a remedy prescribed above and therefore require a substantial change in circumstance, recommendations could include but are not limited to:

- 11.1** the removal of the Concerned Individual from the decision-making body or from office;
- 11.2** any breach relating to hiring may result in re-hiring when permitted by law, and may result in the Concerned Individual's removal from office;
- 11.3** any breach relating to the use of privileged information or financial transactions may result in the suspension or removal of the Concerned Individual from office;
- 11.4** any breach relating to gifts, hospitality, and other benefits may result in the Concerned Individual being asked to return the gift or benefit, donate the gift or benefit to a charitable organization under the *Income Tax Act* deemed suitable by the relevant decision-making body, and/or removal of the Concerned Individual from office; and
- 11.5** any breach relating to the use of Society resources may result in temporary suspension from use of the relevant property and/or communication device(s) and the required issuance of a formal apology for inappropriate conduct and/or removal of the Concerned Individual from office.

The consequences of a breach of the Conflict of Interest Policy outlined above notwithstanding, the Human Resources Committee or their designate may also recommend the issuance of an apology, the undertaking of any professional development for the Concerned Individual to help avoid future Conflicts of Interest, or other fair and reasonable steps appropriate to address a breach of this Policy.

12. Confidentiality

Except as required by law, the Society's governing documents, and this Policy, any information disclosed by any person to the Human Resources Committee or their designate and the General Manager is confidential unless the relevant individual consents to its public release.

12.1 In matters relating to the Society's finances, matters of ongoing litigation, disposition or acquisition of property by the Society, or negotiations with employees or matters regarding human resources, the General Manager of the Society must be consulted as to the appropriateness of any releases.



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13. Special Provision: Employment of Councillors

A Councillor who is also employed by the Society in a separate capacity shall be deemed to be in a Conflict of Interest but may continue to serve as a member of the Legislative Council, provided certain conditions are met.

13.1 Where this Conflict of Interest exists or arises, the Councillor shall notify the Human Resources Committee or their designate in accordance with section 5.

13.1.1 In the case of a Councillor who is employed by the Society at the time of their Election or who becomes employed by the Society shortly thereafter, prior to the first meeting of the Legislative Council at which they will serve as a Councillor; or

13.1.2 In the case of a Councillor who becomes an employee of the Society during their term, prior to the next meeting of the Legislative Council.

13.2 The speaker shall notify the Legislative Council of the existence of a Conflict of Interest.

13.3 Councillors with a Conflict of Interest shall abstain from voting on matters materially connected with their employment at the Society or related to decisions that they have worked on, researched, and on recommendations that they bring to Legislative Council by means of their employed position with the Society.

13.4 Councillors with a Conflict of Interest shall remove themselves from confidential sessions where the matters discussed are materially connected with their employment at the Society, but may be present for any In-Camera Sessions, provided they continue to comply with the requirement to abstain from voting on matters materially connected with their employment at the Society.

13.5 Councillors with a Conflict of Interest shall at all times comply with this Policy. Failure to notify the Speaker of a Conflict of Interest or to comply with any other provisions herein constitutes a breach of this Policy to be addressed in accordance with Section 11 of this Policy.



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Equity Policy

Date Adopted: 2018/04/05

Expires: 2023/01/01

[Adopted Motion \(Link\)](#)

1. Background & Scope

1.1 This Policy shall apply to:

- a. Staff, elected representatives, operations, Clubs, and Services, of the Students' Society of McGill University.
- b. All activities and events hosted, funded, and promoted by the Society and SSMU-affiliated Clubs and Services.
- c. Written or graphic material, which is published, distributed, endorsed, or funded by the Society.
- d. Activities, events, campaigns, and promotions held in the William Shatner University Centre.

1.2 The Equity Complaints Process (Appendix A) may be deemed outside the jurisdiction of the SSMU if the subject matter of an Equity Complaint involves:



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- 1.2.1** Physical or sexual assault;
- 1.2.2** Persons or bodies outside the jurisdiction of the SSMU, including, but not limited to, McGill Administrative units, faculty members, Libraries, and Student Services.

In the event that a Complaint falls outside the jurisdiction of this Policy, the Equity Commissioners may serve as a resource in referring the Claimant to the appropriate channels.

1.3 The Legislative Council and the Executive Committee are responsible for ensuring the implementation of this Policy as well as integrating principles of anti-oppression, inclusivity and diversity into all activities of the SSMU.

- 1.3.1** Failure to fully and adequately address or manage Equity concerns within these bodies' respective procedures is sufficient grounds for members-at-large, Staff, and representatives to file an Equity Complaint and/or bring the issue to the SSMU Accountability Committee.

2. Interpretation

This Policy is to be applied in such a way as to uplift the perspectives and voices of members of the society that have been historically disadvantaged by various systems of oppression, and ensures respect for these members during discussion on campus that implicate their identities.

2.1 Programs or activities whose purpose it is to improve the conditions of, or provide safer spaces for groups that have been historically and culturally disadvantaged are not deemed discriminatory or oppressive by advocating for specific resources, conditions and spaces to address the social and systemic barriers they face.

2.2 This Policy should be applied in such a way as to ensure that the rights of marginalized students are not further compromised as a result of a Complaints process. This includes ensuring that students are respected and not subjected to undue stress or disparagement.

2.3 Decision-making bodies within the SSMU invoking the Equity Policy must consult the Equity Commissioners as a part of their consultation process.

2.4 For the purpose of the Equity Policy and Complaints Process, the following definitions and considerations apply:

- 2.4.1 *Bad Faith:*** An intentional dishonest act demonstrated as failing to fulfill the obligations outlined in this Policy.



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2.4.2 Equity: The recognition and respect of equality of opportunity. Equitable treatment involves acknowledging and respecting diversity and actively addressing the barriers that prevent equal inclusion, opportunity and recognition due to ongoing and historical oppressions and power dynamics.

2.4.3 Diversity: The existence of differences in needs and relations, among individuals and groups 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.

2.4.4 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.

2.4.5 Privilege: An unearned advantage or immunity knowingly or unknowingly held by a group of persons in a position of power. This is typically used to the disadvantage of others and maintained by systems of oppression.

2.4.6 Marginalization: The exclusion and relegation of certain individuals and groups to positions of lesser value, power, and access to opportunity within society.

2.4.7 Disadvantage: Circumstance or 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.

2.4.8 Discrimination: The differential treatment of an individual or group, typically to their disadvantage, on the basis of their perceived status or characteristics.

2.4.9 Good Faith: An intentionally honest or sincere fulfillment of an obligation outlined in this Policy.

2.4.10 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.

2.4.11 Intersectionality: The recognition that individuals may experience interconnected systems of oppression differently, in varying configurations and degrees of intensity. This



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recognizes the larger structures of oppression that form and work in conjunction with each other to produce “certain identities.”¹

2.4.12 Equity Officer: a member of the Equity Complaints Committee responsible for responding to Complaints, including Informal and Formal Resolutions Processes.

2.4.13 Complaint: a formal written allegation of a violation of the Equity Policy to the Equity Officers.

2.4.14 Incident: an instance of alleged violation of the Equity Policy.

2.4.15 Claimant: the person or group who has experienced (an) alleged incident(s) and has filed a Complaint against the Respondent.

2.4.16 Respondent: the person against whom a Complaint is brought.

2.4.17 Support Person: an individual who a Claimant and/or Respondent may request to accompany them throughout the Complaints process.

2.4.18 Private Space: a mutually agreed upon location where Mediation can take place that allows for the respect of confidentiality.

3. Training

SSMU-facilitated equity training(s) must be provided to all elected officers and representatives, members of the Board of Directors, Judicial Board members and student staff on a yearly basis.

4. Promoting Equity

The SSMU will promote a functional, anti-oppressive environment through:

4.1 Using gender-neutral language in all documents, electronic and written correspondence from SSMU addresses, and in the workplace. This shall be implemented systematically under the supervision of the Office of the Vice-President (University Affairs).

¹ “Kimberle Crenshaw Intersectionality NOT identity”, <https://www.youtube.com/watch?v=uPtz8TiATJY>, August 17th 2017. Patricia Hill Collins essay, “Intersectionality’s Definitional Dilemmas” the term intersectionality references the critical insight that race, class, gender, sexuality, ethnicity, nation, ability and age operate not as unitary, mutually exclusive entities, but rather as reciprocally constructing phenomena.



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4.2 The SSMU will actively support projects and policies that aim to end oppression or to promote accessibility and inclusivity in the McGill community.

4.3 The SSMU and its affiliated Clubs and Services will not condone organizations that continue to promote or engage in discrimination, harassment or harm to members of the Society within the definition of oppression as per the policy.

APPENDIX: EQUITY COMPLAINTS PROCESS

A.1 Submission of an Equity Complaint

All Complaints shall be submitted in writing, or addressed in writing, in either French or English, to the Equity Complaints Committee through an online form.

A.1.1 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.

A.2 Initial Review and Limitations of the Policy

Upon reception of an Equity Complaint, Equity Officers will assess whether the Complaint falls within the scope of the Equity Policy as per Section 1. Should the Complaint fall outside of the scope of this Policy, the Claimant will be notified of the finding by writing.

Claimants should be aware that there is a six-month time limit for filing a Complaint at the 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

A.2.1 In such situations, the Equity Officers may act as a resource in referring the Claimant to the appropriate channels, including other governance or representative channels of the Society, as appropriate.

Equity Commissioners shall be empowered to be proactive in reaching out to student groups to provide recommendations when appropriate.

A.2.2 If there is not enough evidence to support a Complaint, or if the complaint is outside the jurisdiction of the Equity Policy, and the Equity Officers are therefore unable to issue a recommendation, they must provide the Claimant with an explanation to this regard.



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A.2.3 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 be given the benefit of any necessary remedies.

A.2.4 The Equity Complaints Committee must forward the complaint filed by the Claimant to the Respondent within three (3) business days after the complaint is filed. At this time, the Equity Commissioners will assess whether the Claimant wishes to pursue a formal or informal resolution and will inform the Respondent of the Claimant's decision.

A.2.5 The Respondent must file a response to the Complaint within five (5) days of the filing of the Complaint by the Claimant.

A.2.5.1 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 three (3) business days, but must provide reasons for the delay which will be reviewed and evaluated by the Investigators. The Investigators may reject the response on the basis of the provided reasons.

A.3 Informal Resolution (Mediation)

An Equity Commissioner will be identified as a mediator, to initiate and facilitate an ameliorative dialogue between all parties concerned in a Complaint.

A.3.1 The Claimant, Respondent, or Commissioner may request for an external qualified person to act as a third party mediator in order to facilitate the mediation. This requires consensus approval by the Equity Complaints Committee.

A.3.2 The mediator (internal or external) will begin to help the parties settle the Complaint within 10 working days of the Complaint's submission and complete the Mediation within 20 working days, unless an extension is needed.

A.3.3 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.

A.3.4 The mediation will take place in a Private Space. Either party has the right to request separate private spaces for mediation without reprisal.



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A.3.5 Both parties have the right to be accompanied at any and all times by a Support Person.

A.3.5.1 Either party may request that the SSMU provide a Support Person. Such individuals can be chosen amongst the membership of the SSMU Equity Committee and should be trained in anti-oppression principles and active listening.

A.3.5.2 Any interviewing or questioning may be paused 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.

A.3.5.3 The Support Person may not be a supervisor of either the Claimant or the Respondent.

A.3.5.4 If the Support Person is not able to fulfill their role (ie. Using their position to intimidate another party in the complaints process instead of providing emotional support to the person who requested them), Equity Officers make seek appropriate remedies such as imposing boundaries in writing or request that the Claimant/Respondent be accompanied by a different Support Person.

A.3.5.5 The Support Person's role is not to present or respond on behalf of either a Respondent or Claimant.

A.3.6 Either party has the right to refuse mediation, without reprisal.

A.3.7 If implicated parties are unable to reach a resolution upon the conclusion of the mediation process, the Complainant and/or Respondent may engage the Formal Resolution Process.

A.4 Formal Resolution (Investigation)

When initiating a Formal Resolution Process, The Claimant shall submit a written record of the incident, including dates, times, locations and a detailed account of the incident to:

- a.** An Equity Officer other than the assigned Mediator, unless it is a Complaint against one or more of the Equity Officers.
- b.** 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 as to whether they will be participating in the Formal Investigation.



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Both parties retain their right to a Support Person as outlined in A.3.5.

The investigators will investigate the Complaint thoroughly. An investigation will involve:

- A.4.1** Obtaining all pertinent information from the Claimant, informing the Respondent of the details of the Complaint and obtaining their response;
- A.4.2** An interview of the Claimant, the Respondent, and any witnesses within ten (10) days from the submission of the Complaint;
 - A.4.2.1** 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;
 - A.4.2.2** Both the Claimant and the Respondent will be kept abreast of all of the allegations and responses of the other party or of witnesses. The Investigators must provide all material gathered during the interview process to both the Claimant and the Respondent within fifteen (15) days following the filing of the complaint by the Claimant;
 - A.4.2.3** The Claimant and the Respondent will be given three (3) days to respond to this material and file their responses with the Investigators
- A.4.3** Determining whether the Equity Policy violation has occurred;
- A.4.4** Recommending appropriate remedies. 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;
 - e.** Any other remedy deemed to be appropriate and equitable by the Equity Complaints Committee.

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.



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A.5 Ratification of Decisions Made

Recommendations for Resolution made by the Equity Officers shall be ratified by a majority vote of the Legislative Council. The Investigators shall have thirty (30) days following the submission of the Complaint to 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.

A.5.1 If the 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 the Legislative Council.

A.5.2 If the Legislative Council rejects the Recommendations following revision, it shall submit a reference to the SSMU Judicial Board explaining its reasons for withholding ratification.

A.5.3 Within a week of being ratified, the Equity Officers will submit the final report to the General Manager. 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:

A.5.3.1 Facts;

A.5.3.2 Full explanations detailing the ways in which the violations outlined in the Complaint contribute to systems of oppression; and

A.5.3.3 Recommendations with the reasoning behind them.

Recommendations arising from the informal or formal resolution processes shall be provided to both the Claimant and the Respondent in writing

In the case of more serious or complex violations, the Claimant may be recommended to seek resolution via the administrative processes of the University, or an external legal source. The Claimant may do so regardless of the Claimant's recourse to the SSMU Equity Complaints Process.

A.6 Appealing a Decision

Appeals to decisions made by the Equity Complaints Committee are handled by the Judicial Board. Both the Claimant and Respondent may submit appeals up to ten (10) days from the day the ratified Formal Resolution was communicated to all parties.

The Claimant and/or Respondent should, in this case, follow the submission procedure outlined on the Judicial Board website or by contacting the Chief Justice of the Judicial Board.



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A.7 Confidentiality

Equity Officers shall be empowered to seek any information that is not explicitly confidential. In managing the Equity Complaint, confidentiality must be respected by Equity Officers at all times during the resolution process, in consideration of the following restrictions on confidentiality:

A.7.1 The Equity Officer facilitating a complaint will provide those implicated in a Complaint (witness, complainant, respondent) with enough information to fully participate and respond to the stage(s) of the equity complaint they are involved in.

A.7.2 A Claimant who seeks informal or formal resolution must be prepared to be identified to the Respondent by name.

Everyone involved in a Complaint will be made aware upon initial communication of 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. Any electronic documents shared between the Equity Officers, Claimant and Respondent will be considered confidential.

A.7.3 Personal information regarding 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.

A.7.4 When the resolution is discussed by the Legislative Council, a confidential session will be declared, and all names and identifying features of the Claimant and Respondent will be omitted.

Parties involved in the Complaints Process who have been asked for information may reject the Officer's request if they are not at liberty to disclose such facts that would involve the party breaching a legally binding code of compliance.

A.8 Record-keeping

All documents pertaining to Equity Complaints will be archived for a minimum period of three (3) years. They must be kept confidential.



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Gendered and Sexual Violence Policy

Date Adopted: 2018/10/11

Expires: 2023/05/01

[Adopted Motion](#) (Link)

1. Preamble

This Gendered and Sexual Violence Policy, herein referred to as the GSVP, is a response to harm perpetrated by members of the 2016-2017 SSMU Executive who committed acts of sexual violence against a dozen students from the McGill community. Not only were the perpetrators executives at SSMU, but SSMU failed to take active steps to investigate and respond to rumours, informal and formal complaints regarding the individuals in question.



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The GSVP has been created to ensure that the harm and re-traumatization that survivors experienced will not happen again.

This policy seeks to address gendered and sexual violence by focusing on specific commitments SSMU will make to be able to support the existing prevention and support programs, as well as create new student-led responses which may fill in gaps existing between other policies and procedures

2. Purpose

The SSMU GSVP has been created to provide an intersectional and survivor-centric approach to sexual harassment, gendered violence and sexual violence within the SSMU community and applied to the SSMU context. SSMU is a unique entity whereby their jurisdiction within the SSMU context is different from the institution of McGill University. SSMU has jurisdiction over its employees, volunteers, participants in SSMU clubs and those who are present within SSMU spaces. Furthermore, SSMU is comprised of elected officials - the Board of Directors, the Judicial Board, Legislative Council and the SSMU officers (also known as Executives) - who, by provincial legislation, are subject to different processes with regards to sanctions. It is important to note that this jurisdiction is different than that of McGill University, whose [Policy Against Sexual Violence](#) has limited authority within the SSMU context of employment, clubs or services.

The purpose of this policy is to create a response to gendered and sexual violence within the SSMU community that is holistic and encapsulates the four components of (1) prevention, (2) support, (3) advocacy and (4) response. All of these components will rely on an intersectional framework to account for the different ways in which various groups experience and are impacted by gendered and/or sexual violence.

2.1 Prevention

SSMU will work with existing campus stakeholders to create and mandate prevention training and campaigns that address the existence of rape culture on campus, promote a culture of consent and actively facilitate the creation of a safe and inclusive environment that is free from gendered and sexual violence.

2.2 Support

SSMU will seek to support the existing support resources on campus and in the larger community to ensure that students are aware of the resources and accommodations available to them.



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2.3 Advocate

SSMU will take on an active role in advocating for intersectional and survivor-centric processes at McGill University and at the provincial level by using the [OurTurn National Action Plan](#) as a guide and through the creation of an OurTurn McGill Taskforce.

2.4 Response

The GSVP creates accessible, confidential and survivor-centric processes to ensure that all members of the SSMU community have the ability to have options available to them to feel safe and comfortable while participating in SSMU spaces and using SSMU services. These informal and formal resolution processes are in accordance with and do not limit a survivor's ability to seek recourse through other existing structures such as of the McGill [Policy Against Sexual Violence](#) and the [Criminal Code](#).

3. Scope

3.1 This policy applies to all forms of gendered violence, sexual harassment and sexual violence as defined in section 6 of this policy.

3.2 All other relevant SSMU policies and documents will be updated to ensure that they are adapted to the GSVP, this includes the SSMU Employment Manuals, SSMU Club and ISG documents, SSMU Internal Regulations and the SSMU Constitution.

3.3. This policy applies to all members of the SSMU community, individuals using or participating in SSMU services and clubs or individuals on SSMU property. To clarify within this Policy, the SSMU community encapsulates all:

- a. SSMU members which includes all undergraduate students;
- b. SSMU employees, both full time, part-time and casual;
- c. SSMU volunteers, who have signed volunteer contracts, in the instance that they are not undergraduate students at McGill (for example, PGSS members who volunteer for SSMU services);
- d. SSMU Officers, also referred to as Executives;
- e. SSMU General Manager;
- f. SSMU Legislative Council;
- g. SSMU Judicial Board;
- h. SSMU Board of Directors;



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- i. Executives and or members of all SSMU affiliated club, Independent Student Groups and Services;
- j. Any visitor on SSMU owned or leased premises, using SSMU services or participating in a SSMU club regardless of student or SSMU membership status.

3.4 This policy applies to all forms of gendered violence, sexual harassment and sexual violence, as defined in section 6 of this policy, whether they are in the University's learning, living or work environment, on or off campus, or interacting through social or other electronic media and when the potential consequences of the incident(s) may adversely affect the complainant's ability to feel safe and be able to access SSMU spaces or services.

3.5. For clarity there is no limit on the temporal jurisdiction of this policy, as to when the act of gendered and/or sexual violence occurred. Specifically, the Policy applies so long as the respondent and/or complainant are members of the SSMU community at the time of the incident or at the time of the complaint.

4. Roles and Responsibilities

4.1 Anti-Violence Coordinator

Two Anti-Violence Coordinators (AVCs) will be hired by SSMU to oversee the implementation and application of the GSVP. The coordinators will be responsible for organizing GSVP training in conjunction with HR and SSMU executives. The coordinators are responsible for facilitating the response section of the policy. Prior to the beginning of their mandate they must receive extensive training as required in their contract.

4.2 Human Resources Manager

The HR manager is responsible for applying the GSVP as it relates to GSVP training for employees and recourse mechanisms in the Employee Manual for full-time and casual staff pursuant to the GSVP. They are the direct supervisor of the AVCs.

4.3 SSMU Executive Officers

The Executive Officers are responsible for assisting in the implementation of the GSVP in the following ways:



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- 4.3.1** The President will ensure that all members of the SSMU complete GSVP training in accordance with the timeline outlined in the Policy.
- 4.3.2** The Vice-President (Student Life) is responsible for working in conjunction with the AVCs to ensure that all clubs, services and ISG's receive training.
- 4.3.3** The Vice-President (University Affairs) is responsible for updating the rights of students on the Know Your Rights campaign specifically as it relates to the rights of individuals who experience gendered and/or sexual violence.
- 4.3.4** The Vice-President (External) is responsible for ensuring the coordination of the OurTurn McGill Taskforce, specifically the selection and honorarium of the Chair.
- 4.3.5** The Vice-President (Finance) is responsible for ensuring that the designated amount of funding to operate the GSVP is provided for in the SSMU budget.
- 4.3.6** The Vice-President (Internal) is responsible for communicating any relevant information regarding the GSVP, including prevention initiatives and training, to the SSMU body at large. Additionally, they are responsible for taking all appropriate steps to ensure that SSMU events are safe spaces free of gendered and sexual violence.

5. Definitions

Unless otherwise defined below, all terms used throughout the Policy take on the meaning ascribed to them by the Constitution or the Internal Regulations of the Society.

5.1 Affirmative Consent: Affirmative consent requires that a person is able to freely choose between two options: yes and no. This means that there must be an exchange of mutually understood affirmative words or body language which indicates a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of the person initiating or engaging in a sexual activity to obtain clear and affirmative responses at all stages of sexual engagement. Silence or non-communication must never be interpreted as consent. The fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity. Recognizing the intersectionality of consent and ability, consent may not be present properly if an individual has a disability that limits their verbal or physical means of interaction – in these instances and all instances, it is necessary to determine how consent will be established.

Consent is not obtained or implied if:



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- a. The agreement is expressed by the words or conduct of a person other than the specific individuals who are involved in the sexual activity;
- b. An individual induces another individual to engage in the activity by abusing a position of trust, power or authority;
- c. An individual expresses, by words or conduct, a lack of agreement to engage in the sexual activity;
- d. An individual, having consented to engage in sexual activity, expressed, by words or conduct, expresses a lack of agreement to continue to engaging in the activity
- e. An individual is asleep, unconscious, or otherwise unable to communicate;
- f. An individual has been threatened or coerced, as outlined in the definition of sexual violence, into engaging in the sexual activity;
- g. An individual has been drugged;
- h. An individual is incapacitated due to consumption of alcohol or drugs.

Additionally:

- i. Any sexual activity involving alcohol or drug-use requires the standard of affirmative consent. The use of alcohol and/or drugs by an individual never implies consent and should not be assumed to have played a role in causing a survivor's experience of sexual violence. Furthermore, the use of drugs or alcohol by the perpetrator never justifies their actions;
- j. An individual's profession should not impact their ability to provide or withdraw consent. Specifically, individuals choosing to engage in sex work maintain autonomy over their bodies and the ability to consent or not consent to any form of sexual activity. However, it is important to distinguish the term 'sex work' from 'sex trafficking'. Sex trafficking is the trade of humans for the purposes of sexual exploitation. Sex trafficking is a criminal act, under which consent cannot be obtained in any circumstances;

5.2 *Discloser:* An individual who discloses information about an incident(s) of gendered or sexual violence that they have experienced;

5.3 *Employee:* A person who is hired for a wage, salary, fee, or payment to perform work for the SSMU;

5.4 *Gendered Violence:* any act of physical, verbal, or emotional aggression which implicates, targets, or de-legitimizes an individual's gender presentation or identity; or an act reinforcing gender inequalities resulting in physical, sexual, emotional, or economic harm. This includes misogynistic, queerphobic, and transphobic violence. Gendered violence is often implicit, and the gendered dynamics which enable it may not always be hypervisible.



Gendered violence can manifest as singular acts or as continued micro-instances of violence.

These include, but are not limited to:

- Intentional misgendering;
- Intentional “outing”;
- Verbal abuse;
- Use of gendered slurs;
- Physical violence or intimidation.

5.5 *Petitioner:* A SSMU member, officer, employee, or visitor who has sought formal recourse through the GSVP.

5.6 *Rape Culture:* A culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual violence by normalizing or trivializing sexual violence and by blaming survivors for their own abuse. Rape culture enables disproportionate rates of sexual and gendered violence in marginalized communities, and prevents perpetrators from being held accountable for their actions;

5.7 *Respondent:* A member of the SSMU community named as an offender in a informal or formal report of sexual violence;

5.8 *Sexual Violence:* any non-consensual, unwanted actual, attempted, or threatened act or behaviour, that is carried out through sexual means or by targeting a person’s sexuality, gender identity, or gender expression. This act or behaviour may or may not involve physical contact. Sexualized violence includes all forms of sexual misconduct including but not limited to:

5.8.1 *Sexual Assault:* Any form of sexual touching or the threat of sexual touching without the individual’s consent;

5.8.2 *Sexual Coercion:* is the act of using subtle pressure, drugs, alcohol, influence, power, or force to have sexual contact with someone against their will. Sexual coercion includes ongoing attempts to have sexual contact of some kind with another person who has already expressed that they do not want to have sexual contact;

5.8.3 *Sexual Harassment:* Unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;

5.8.4 *Stalking:* Engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating



through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;

5.8.5 *Indecent Exposure:* Exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their consent;

5.8.6 *Voyeurism:* Non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose;

5.8.7 *Distribution of Sexually Explicit Photograph or Recording:* The distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording;

5.8.8 *Stealthiness:* nonconsensual condom removal during sexual intercourse.

5.9 *Personal Advocate:* An individual who may advocate or provide information and support to a complainant through the complaint process.

5.10 *Support Person:* An individual present during a complaint who gives emotional support through the complaint process.

5.11 *Survivor:* For the purposes of this policy, a SSMU Community Member who has experienced an act or acts of sexual violence as it has been defined above. Survivors themselves may self-identify using whatever language they prefer.

5.12 *Survivor-centrism:* A survivor-centred approach requires all those who engage in sexual violence prevention and support programming to prioritize the rights, needs, and wishes of the survivor. This requires the inclusion of procedural commitments that seek to mitigate the potential for re-traumatization when survivors seek recourse or accommodations.

5.13 *Trauma-Informed:* A process that is informed by the understanding of how trauma affects Survivors' response to services, resolution processes, and procedures. It is important to recognize that adopting a trauma-informed approach requires significant training and is a field that is continuously developing. Thus, trauma-Informed processes should be carried out by individuals with appropriate training with the goal of avoiding Survivor re-traumatization, increasing the safety of all, and increasing the effectiveness of interactions with Survivors.;



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5.14 Visitor: An individual who is present on SSMU owner or leased property or is using SSMU services regardless of their geographic location.

6. Prevention and Training

6.1 Gendered and Sexualized Violence Prevention and Support Training, herein referred to as GSVP Training, will be coordinated and scheduled by the AVCs, and will be facilitated by volunteers from SSMU, and SACOMSS. The AVCs will be responsible for training these facilitators and scheduling open training sessions. Facilitators will conduct trainings including information pertaining to:

- a. Defining sexual violence and gendered violence;
- b. Consent including discussions of consent and alcohol or drug use;
- c. Rape culture and consent culture;
- d. Intersectional impacts of gendered and sexual violence;
- e. Bystander intervention;
- f. Survivor-centric responses to disclosures;
- g. On-campus and off-campus support options;
- h. Reporting options including the SSMU GSVP policy.

6.2 Individuals have the ability to have alternative trainings to those offered by SSMU recognized as equivalent to the GSVP training, based on the discretion of the AVCs. The alternative trainings must be conducted by individuals who have received adequate training from professionals in the field of sexual violence, such as O-SVRSE, and the training must cover all of the topics mentioned in section 6.1.

6.3 Upon completing their training, individuals will be asked to complete a feedback form to measure the impact of the training and record ways the training can be continuously improved.

6.4 The AVCs will keep records of the names and number of individuals who completed the training and include it in a report, presented to SSMU by May 31st of each year. Students who complete the training will have the ability to add it to their McGill co-curricular record. This will be monitored by the AVCs.

6.5 Employee Trainings

While the training is open to the public, all SSMU full, part-time and casual employees, including the General Manager and SSMU Officers, will be required to complete GSVP Training, within 2 weeks of their contract start date as mandated by the SSMU Employee Manual.



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6.5.1 Employees may be exempted from training at the discretion of the AVCs, particularly under exceptional circumstances such as the signing of a contract which covers a period of less than two weeks, or absence from Montreal during the term of the contract.

6.5.2 All employees must participate in the training annually, based on the academic year. This training will be coordinated by the AVCs, in conjunction with the SSMU Human Resources Manager, herein referred to as the HR Manager.

6.5.3 It is the responsibility of the SSMU President to ensure that all Officers complete the training within the first two weeks of their contract start date.

6.5.4 In the event that an individual takes an officer position through a by-election they must complete the training within two weeks of the start date of their term. It is the responsibility of the SSMU President to ensure that this training occurs.

6.5.5 If a SSMU Officer does not complete the training within the initial 2 week deadline, the AVCs will contact the Officer directly to arrange a training in their first month of taking their position at SSMU. The AVCs will also inform the President in writing that the officer has not completed the GSVP training within the required time frame. In the event that the SSMU President has not completed their training, the AVCs will provide a written notice to the HR Manager.

6.5.6 If an officer does not complete the training within their first month of employment, the AVCs will notify the President and the HR Manager who will place the officer under administrative suspension until the training is completed.

6.5.7 An employee who does not complete the training within the initial 2 week deadline will be contacted directly again by the AVCs to arrange a training in their first month of employment at SSMU. The AVCs will also inform the SSMU HR Manager in writing that the individual has not completed the GSVP training within the required time frame.

6.5.8 If an employee does not complete the training within their first month of employment they will be placed on an administrative suspension until the training is completed.

6.6 Bodies of the Society

All voting and non-voting members of the SSMU Legislative Council and Senate Caucus will be required to complete GSVP Training prior to or within one month of the first meeting of each body.



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Members of the Board of Directors and Judicial Board will be required to complete GSVP Training prior to or within one month of their ratification at the Fall General Assembly.

6.6.1 The scheduling of the legislative council trainings will be coordinated by the AVCs in conjunction with the Speaker of the Legislative Council, to be included in the general Legislative Council training prior to the beginning of their mandate. If a member of Legislative Council is unable to complete the training during the general Legislative Council training, then the individual member must coordinate with the AVCs to attend an alternative training session.

6.6.2 It is the responsibility of the SSMU President, working alongside the Legislative Council Parliamentarian and Speaker, to ensure that all Legislative Council members receive training within the required time period.

6.6.3 It is the responsibility of the SSMU President to ensure that all members of the Board of Directors and Judicial Board complete the training within the required time period.

6.6.4 It is the responsibility of the SSMU President, working alongside the Vice-President (University Affairs) and University Affairs Secretary-General, to ensure that all student senators receive training within the required time period.

6.6.5 If members of the Legislative Council, Senate Caucus, Board of Directors, or Judicial Board have completed equivalent training in another capacity, they may be exempted at the discretion of the AVCs. This does not detract from the requirement that members of the Council must complete training annually based on the academic year.

6.6.6 If a member of the Legislative Council does not complete the training within the month following the first Legislative Council meeting they will be suspended from Legislative Council meetings until the training is completed.

6.6.7 If a member of the Board of Directors or Judicial Board does not complete the training within the month following their ratification at the Fall General Assembly they will be suspended from meetings until the training is completed.

6.7 SSMU Services with Employees

All employees hired by services are required to complete GSVP Training within 2 weeks of beginning their contract. All service employees must participate in, or receive exemption from, the training annually.



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6.7.1 It is the responsibility of the SSMU HR Manager to ensure these trainings are completed.

6.7.2 GSVP Training for Services will be coordinated by the AVCs in conjunction with the HR Manager and the Vice-President (Student Life).

6.7.3 A service employee who does not complete the training within the initial 2 week deadline, will be contacted directly by the AVCs to arrange a training in their first month of employment at SSMU. The AVCs will also inform the the SSMU HR Manager in writing that the individual has not completed the GSVP training within the required time frame.

6.7.4 If an individual has completed equivalent training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This does not detract from the requirement that everyone must complete training annually based on the academic year.

6.8 SSMU Clubs, Services, and Independent Student Groups (ISGs)

All accredited SSMU Clubs, Services that do not employ individuals, and ISGs will be required to ensure that at least 5 executives or 50% of their executive team, whichever is lesser, has received GSVP Training during the Fall academic semester at McGill.

6.8.1 All SSMU clubs, services, and ISGs will be notified of this requirement in an email sent by the VP Student Life. This requirement will also be included in any club orientation documents or online information pages provided by SSMU.

6.8.2 If a club, service, or ISGs does not complete their training by the last week of November the VP Student Life, in conjunction with the AVCs will email the club or group to notify them again of the required training and consequences of not completing the training. They will be offered the ability to arrange a training session in December.

6.8.3 If a club, service, or ISG does not complete their training prior to the beginning of the winter semester, their club status will be suspended and they will lose their ability to receive SSMU funding or book spaces through SSMU. Their suspension will not be lifted until the required number of members complete the training. The suspension will be removed after the end of the academic year.

6.8.4 If an individual has completed equivalent training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This



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does not detract from the requirement that everyone must complete training annually based on the academic year.

6.8.5 If the composition of a club, service, or ISG changes in the winter semester, it is the responsibility of the VP Student Life, in conjunction with the AVCs, to ensure that all clubs, services, and ISGs have the required number of members complete the training.

7. Support

7.1 It is the responsibility of the Vice-President External Affairs to continuously update the SSMU website with information on the various on and off campus support resources and the accommodation options available. These include, but are not limited to, the Sexual Assault Centre of McGill Students' Society (SACOMSS), the Office for Sexual Violence Response, Support and Education (O-SVRSE), Nightline McGill, Queer McGill, the Union for Gender Empowerment, and the Montréal Sexual Assault Support Centre.

7.2 It is the responsibility of the Vice-President University Affairs to create and update any Academic Rights Campaigns and Resources to include a section for individuals who experience gendered and/or sexual violence.

7.3 SSMU acknowledges the emotional labour that one performs while providing support to others who have experienced harm and encourages those providing support to seek support for themselves if they feel it is necessary. If needed these individuals can reach out to the AVCs who will connect them with other appropriate resources at McGill and in the broad community. If the AVCs feel as though they need support, they can contact the HR Manager who will connect them with appropriate resources.

8. Advocacy

8.1 The SSMU shall use the [OurTurn National Action Plan](#) in all anti-sexual violence advocacy efforts and shall consult a student-led OurTurn McGill taskforce to serve as a consultative body in all SSMU anti-sexual violence work. It is the responsibility of all members of the SSMU Legislative Council, including SSMU officers, to uphold and advocate for the rights of survivors as enumerated in the SSMU [Survivor's Bill of Rights](#). Furthermore, the SSMU commits to:

8.1.1 Consulting survivors of campus gendered violence and sexual violence and campus stakeholders actively engaged in anti-gendered violence work anti-sexual violence work;



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8.1.2 Holding the institution of McGill accountable for violations of survivors rights or sexual violence response processes that violate the provincial [Bill 151 An Act to Prevent and Fight Sexual Violence in Higher Education Institutions](#).

8.2 SSMU holds no jurisdiction over University disciplinary procedures and processes; however the VP (University Affairs) is empowered under this article, in conjunction with the GSVP coordinators, to receive anonymous information regarding members of faculty, staff, and administration who commit acts of gendered and sexual violence.

It is the responsibility of the Vice-President University Affairs, with the consent of the individuals involved and respecting requests of anonymity, to share this information with relevant members of Faculty, Disciplinary Officers and/or McGill administrators who enforce the McGill [Policy Against Sexual Violence](#). Reports forwarded by the VP University Affairs will not result in a complaint process. However, the purpose of section 9.5 is to provide its members with alternative options to make instances of harm known to the university.

8.3 It is the responsibility of the Vice-President External to create an OurTurn McGill taskforce, which includes an external chair, who is not an Officer of SSMU. They must receive financial compensation and are primarily responsible for the coordination of the task force.

8.3.1 The OurTurn McGill Taskforce is independent of the GSVP or the procedures within the complaint processes. Their mandate, outlined in section 8.4, is primarily to harmonize advocacy efforts on campus and inform SSMU anti-sexual violence efforts.

8.3.2 This policy recommends that the task force be composed of students from the following groups:

- a. Equity Commissioners from every faculty association, as well as SSMU;
- b. Representative(s) from SACOMSS;
- c. Representative(s) from O-SVRSE;
- d. Representative(s) from the Post-Graduate Students' Society of McGill University (PGSS);
- e. Members-at-large.

To ensure that the task force is able to gain a diverse range of perspectives and experiences the task force should include representation from underrepresented communities who are often adversely impacted by gendered and sexual violence. This includes but is not limited to reaching out specifically to members from BSN, ISA, QM, UGE and other groups who express interest.

8.4 The proposed mandate of this task force is:



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- 8.4.1** To harmonize all student-led initiatives on campus around gendered and sexual violence prevention;
- 8.4.2** To create a culture of consent on the McGill campus through education and events coordinated by the taskforce;
- 8.4.3** To continuously communicate with OurTurn National;
- 8.4.4** To act as SSMU's consultative body on anti-gendered and anti-sexual violence advocacy and policy reform with a specific focus on the McGill Policy Against Sexual Violence and Bill 151.

9. Response

9.1 Disclosures and Complaints

Under this Policy, a disclosure and a complaint are separate processes.

9.1.1 A disclosure is defined as a communication of an instance of gendered and/or sexual violence. In the event of a disclosure which implicates members of the SSMU community, the discloser is encouraged to reach out to the AVCs. The AVCs are mandated to provide survivors with non-judgemental, non-directional support and relevant resources. Furthermore, they must ensure that discloser is aware of all existing avenues for recourse which are available.

9.1.2 A complaint is defined as a formal written report of an act or several acts of gendered and/or sexual violence against an individual within the SSMU community. In the event of a complaint, the AVCs will follow the procedures defined in Appendix A to this Policy, in addition to providing resources for support.

9.1.3 A disclosure does not need to be followed by a complaint under this policy. The AVCs must allow for survivors to maintain autonomy in handling disclosures and complaints.

9.1.4 After all disclosures the AVCs will record non-identifying information for the purpose of statistics. These statistics will be anonymously published in a year-end report presented to the Legislative Council prior to their final meeting.



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9.2 Informal and Formal Resolution

In some circumstances, a discloser may wish to resolve the matter informally in lieu of pursuing a formal complaint, or before the case is referred to a decision maker. The AVCs will facilitate this process of alternative resolution in a survivor-centric manner.

9.2.1 Formal resolution processes require a formal written request, to investigate and address an incident that may have involved gendered and/or sexual violence.

9.2.2 More information regarding the details of each process can be found in Appendix A.

9.3 Accommodations and Interim Measures

Both disclosures and complaints may function as grounds for accommodations. Complaints may function as grounds for interim measures.

9.3.1 If a discloser is employed by SSMU, they may request a minimum of five working days off without penalty or loss of pay. They may also work with the AVCs to request additional time off. The time off will be arranged by the AVCs in conjunction with the HR Manager. They may also request situational accommodations, such as changes in working space. Additionally, the AVCs will assist the discloser in accessing relevant campus resources that can provide other accommodation .

9.3.2 If a complaint is filed, a complainant may request interim measures to ensure their safety and well-being. These may include temporary partial space bans on the respondent, employment scheduling changes, and temporary administrative suspension of a respondent from employment.

9.4 Anonymous and Third Party Disclosure

A third-party disclosure is understood as a disclosure of an act(s) of gendered and or sexual violence experienced by another individual who the third party witnessed or was told about. For the AVCs to investigate a third party disclosure they require the consent of the third party and the individual who experienced the harm in question.

9.4.1 The AVCs will provide the ability for individuals to submit anonymous and/or third party disclosures in person or through the general online disclosure form. If the disclosure is in person, after the meeting the AVCs will record non-identifying information for the purpose of statistics .



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9.4.2 This anonymous and/or third party disclosure form, will provide the option for individuals to provide their contact information if they would like to be informed if another individual contacts SSMU with a disclosure regarding the same alleged perpetrator. With the consent of both individuals who disclosed, SSMU may facilitate connecting all those who disclosed regarding the same alleged perpetrator.

9.4.3 The general online disclosure form will allow the individual disclosing to specify how they would like SSMU to respond to the information. SSMU may not launch an investigation without the consent of the individual who discloses.

9.4.4 SSMU does not have jurisdiction over McGill University Faculty and Staff. Pursuant to article 8.2, If SSMU receives any type of disclosure regarding a member of the McGill faculty or staff, with the consent of the individual who disclosed, SSMU through the Vice-President University Affairs working in conjunction with the AVCs who will follow the procedures outlined in section 8.2 of this policy.

9.4.5 SSMU may be unable to proceed with an investigation involving anonymous or third party disclosures due to a lack of evidence, a potential violation of the autonomy and privacy of involved parties, or where proceedings would violate procedural fairness and impede due process. In such cases, the AVCs will consider whether any other steps can and should be taken. In appropriate cases, the AVCs may contact the third party who submitted the allegations to inquire if the individual who experienced the incident(s) of gendered or sexual violence would consider submitting a formal complaint. However, where other sufficient evidence exists and where it would not violate procedural fairness, at the sole discretion of the AVCs, SSMU may decide to proceed with an Investigation. In such cases, the individual who experienced the incident of gendered or sexual violence has the right to not participate in the Investigation or to call for its cessation.

9.5 Respecting the Dignity of Disclosers and Complainants

9.5.1 In accordance with the survivor-centric approach that this policy adopts, at no point in the disclosure, or in the informal or formal resolution processes, shall the discloser be asked questions or subjected to discussions regarding their character and choices including but not limited to prior sexual activity, sexual orientation and gender identity.

9.5.2 SSMU acknowledges the central importance for all parties – the discloser, complainant and/or respondent - to be informed throughout the informal and formal resolution process(es). This policy has outlined various points of the informal and formal resolution processes where the AVCs will communicate information to the parties. However, at any point



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the parties may contact the AVCs to receive information, barring confidentiality requirements, about the case.

9.5.3 At any point, a complainant may withdraw their complaint and end the informal or formal complaint process(es). If a respondent decides to not participate in the complaint process, the formal complaint process may still be initiated and decided upon. They will receive at various points the opportunity to provide evidence for the investigation and/or write a statement to the GSVP committee. It is up to their discretion whether they submit documents.

9.6 Specific Immunity

SSMU recognizes that some individuals may be hesitant to disclose or report sexual violence in cases where they have committed minor breaches of the SSMU Employee handbook. An individual or community member acting in good faith who discloses or reports an incident(s) of gendered and/or sexual violence will not be subject to sanctions for violations of other SSMU policies related to the minor breach(es) at the time that the incident(s) took place.

9.7 Coercion and Power Relations in the SSMU Context

In the context of SSMU any individual who uses their position as a political representative of SSMU, employee of SSMU or status within a club, ISG or service to coerce or manipulate an individual into sexual activity is committing an act of sexual violence by abusing their position of authority, and thus falls under the jurisdiction of this policy.

9.7.1 It is important to note that this does not explicitly ban all relationships between executives and students, or between employees. However, it does ban relationships that develop due to an abuse of power.

9.7.2 If an employee is put in a position where they are involved in the hiring, selection, or evaluation of an individual with whom they have had an intimate relationship, they are obligated to inform the AVCs and HR of this conflict of interest and recuse themselves from the process.

9.7.3 Furthermore, should a relationship develop between an individual in power and one of their subordinates, it is the duty of the former to notify the AVCs.



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9.8 Confidentiality

The AVCs will make every reasonable effort to maintain confidentiality when it becomes aware of an incident(s) of gendered and sexual violence and will limit disclosure of information about individuals to those who are responsible for administering and enforcing the policy in that specific.

9.8.1 Under the following circumstances, however, SSMU may face additional legal obligations and may not be able to guarantee complete confidentiality if:

- a. An individual is at risk of self-harm;
- b. An individual is at risk of harming others;
- c. Members of the University community or the broader community may be at risk of harm; and/or
- d. Investigation or reporting to authorities where required by law (the following list of examples is not meant to be exhaustive: an incident involving a minor, obligations related to occupational health and safety, human rights legislation and/or community safety).

9.8.2 While all documents produced in the informal and formal resolution processes will be required to be kept confidential, this does not limit the discloser's right to speak openly about their experiences for the purpose of seeking support or maintaining their safety and the safety of others.

9.9 Advocates and Support Persons

Both parties to an informal or formal process have the ability to have a support person, any individual chosen by them, present throughout the process. The support person may not speak for the either party during formal process.

9.9.1 Both parties to an informal or formal process have the ability to have a personal advocate, present throughout the process. Prior to any proceeding the complainant or respondent must identify their advocate and/or support person to the AVCs.

9.10 Concurrent Complaints

This policy and the formal complaint process do not prevent and is not intended to discourage an individual from also reporting gendered and/or sexual violence through external mechanisms such as the criminal justice system, the McGill Policy Against Sexual Violence, the McGill Student Code of Conduct and the Human Rights Tribunal of Quebec pursuant to the Quebec Charter of Human Rights and Freedoms. Rather, it seeks to fill existing gaps in recourse for survivors.



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9.10.1 It is important to note that under 1.3.1 of the McGill Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law, concurrent complaints of Harassment cannot be filed. Consequently, if a complaint is filed under the SSMU GSVP, the individual will not be permitted to pursue complaints under the McGill Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law.

9.10.2 Complaints about the same incident cannot be filed concurrently under the SSMU GSVP and the SSMU Equity Policy.

9.10.2.1 Individuals may file separate complaints about different incidents of violence committed by the same individual or several individuals under both policies concurrently.

9.10.3 In the event that an individual wishes to file a complaint against a SSMU club or service as opposed to against another individual, they must pursue a complaint under the SSMU Equity Policy.

9.10.4 Should an individual feel that their experiences are covered by both the SSMU GSVP and the SSMU Equity Policy, they may contact either the AVCs or the SSMU Equity Commissioners in order to arrange for a joint meeting to discuss the options available.

9.11 Club Responses to Gendered and Sexual Violence

All clubs, ISGs and services fall under the jurisdiction of the SSMU Gendered and Sexual Violence Policy. This does not limit the ability for a club, ISG or service to create an internal policy to respond to gendered and sexual violence. However, these policies must mention the existence of the SSMU GSVP, and cannot contradict or obstruct the procedures outlined under the SSMU GSVP.

9.11.1 Any internal policies created by clubs, ISGs, or services must be reviewed and approved by the AVCs to ensure that they are in accordance with the SSMU GSVP.

9.12 Summer Implementation

While timelines and procedures are set out within this policy, it is important to note that the absence of many students over the summer poses a series of limitations on its enactment.

9.12.1 Given the potential absence of Board and community members over the summer, GSVP Committee meetings may be conducted remotely via Skype or other online platforms. Additionally, in these circumstances, communications may be carried out online.



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9.12.2 Exceptionally, timelines for formal complaints may also be extended as a result of these absences. However, the complainant must be notified of this ahead of time.

10. Reporting and Review

10.1 An annual report will be drafted by the AVCs to be presented to Legislative Council at the end of the academic year. It will also be made available to members of SSMU online. This report will include:

10.1.1 Information and statistics relating to the frequency of disclosures made to the AVCs, including distinctions between anonymous and third-party disclosures;

10.1.2 Documentation of initiatives, programs and other efforts made by SSMU to prevent and respond to sexual violence;

10.1.3 Information and statistics relating to the frequency of formal complaints made and non-identifying information the sanctions enforced;

10.1.4 The implementation and effectiveness of this Policy, including challenges experienced by the AVCs and recommendations for ways the policy can be better implemented.

10.2 The SSMU will review this Policy in each year directly before and after its renewal and at least every two years otherwise.

APPENDIX A: PROCEDURES

A.1 Retaliation

Any reprisal, or expressed or implied threat of reprisal, for reporting an incident(s) or making a complaint about gendered and/or sexual violence under this policy may itself be the subject of a formal complaint and may be subject to interim measures (such as a conduct contract, restrictions from certain SSMU spaces, or other appropriate measures).

A.2 Conflict of Interest

If an individual involved in the investigation, complaint process, or sanction enforcement has a real or apparent conflict of interest in a particular matter, or there is a reasonable apprehension of bias, then



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that individual will not continue their involvement in the matter. They are obligated to inform the AVCs who will make other arrangements.

A.2.1 Any individual, including the discloser, complainant, respondent or a third party may inform the AVCs of a conflict of interest, who will then investigate and decide if appropriate next steps are required.

A.2.2 In the event of a conflict of interest with the AVCs, the discloser may seek recourse, following the policy, directly to the HR manager who will also be able to administer the policy.

A.2.3 In the event of a conflict of interest with the HR Manager, the discloser may work with the AVCs to seek recourse, following the policy, directly to the General Manager who will also be able to administer the policy.

A.3 Disclosure

If an individual believes they may have experienced gendered and/or sexual violence, they may disclose to the AVCs who must provide them with appropriate resources in a non-directional manner.

A.3.1 The AVCs may not take any action through accommodations, informal or formal resolution processes without the consent of the individual disclosing unless legally obligated to do so as stipulated in section 10.10 of the GSVP.

A.3.2 The AVCs must inform the discloser that non-identifying information will be recorded for the purpose of statistics.

A.4 Informal Resolution Process

Should the discloser feel that an alternative resolution prior to pursuing a formal complaint process would be appropriate, the AVCs would facilitate this process.

A.4.1 Prior to proceeding with an informal resolution, the AVCs must assess the situational needs of each party, with particular focus placed on the safety of the survivor. For this process to be meaningful, participants must engage voluntarily and remain free from reprisal. At any stage during the process, the discloser may indicate they would like to end the informal process and file a complaint to initiate a formal resolution process.

A.4.2 Where the alternative resolution process involves the respondent, the AVCs will take steps to ensure that the circumstances of any meeting will appropriately protect the dignity of the discloser through accommodations that continue to allow their participation. Accommodations that may be considered include: providing separate rooms before the



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meeting; alternate means of participation such as telephone, video, pre-recorded answers and statements; prepared written responses; the opportunity to have a support person present; and other appropriate accommodations.

A.4.2 The outcome of an alternative resolution process must be agreed upon by both parties in writing. Outcomes can include, but are not limited to: apologies and impact statements; mandating anti-oppression and/or educational training for the respondent; restorative and transformative justice processes; negotiations of accommodations; and any other forms of recourse or accountability which both parties agree to, provided that the AVCs is capable of enforcing their enactment. It is important to acknowledge that SSMU may not have the capacity to facilitate restorative justice processes, but can work with the individuals involved to seek out these processes within the larger Montreal communities.

A.4.3 Both parties will agree to the enactment of the informal resolution in writing. Should the terms of this resolution be violated by the respondent, the discloser may request another alternative resolution or file a formal complaint. The AVCs will be the discloser's point of contact in this event.

A.5 Initiating a Formal Resolution Process

A.5.1 Formal complaints must be submitted in writing. However, the AVCs can write the complaint on behalf of the complainant if they are present and requesting this form of accommodation.

A.5.2 If an anonymous formal complaint is submitted, the AVCs are tasked, in the appropriate circumstances as outlined in section 10.4, with initiating the formal resolution process.

A.5.3 Formal complaints must include identifying information regarding the incident(s), the identity of the respondent and their relationship to SSMU, as well as any documentation relevant to the incident, which may include but is not limited to: screenshots; written or online exchanges; photographs; written testimonies; witness contact information and recordings.

A.5.4 Upon receiving a formal complaint the AVCs will, if possible, contact the complainant to confirm that the complaint process has begun and notify them of any action that is being taken within 48 hours and ask the complainant if they require interim measures.



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A.6 Interim Measures

Upon filing a formal complaint the complainant may arrange interim measures with the AVCs, pursuant to Section 9.3 of this policy.

A.7 Investigation

A.7.1 If the AVCs feel that there is adequate evidence to launch an investigation (including previous complaints submitted regarding the respondent), they will come to a decision and contact the petitioner within one week of receiving the complaint.

A.7.2 The AVCs will contact the complainant to inform them of the decision made. At this point, the complainant will be told that they can submit additional evidence if they feel that it is necessary, particularly if the original evidence submitted was deemed inadequate.

A.7.3 If an investigation is launched, both the complainant and respondent will be notified by the AVCs.

A.7.4 The AVCs, will determine the appropriate next steps for the investigation, whether it be an external investigation or conducted by the AVCs. In most cases, formal complaints against employees and SSMU political representatives will be investigated by an external third party, unless it is deemed unnecessary by the AVCs. Third party investigators will be identified and contacted at the beginning of each academic year, and will be contacted again in the instance of an investigation. SSMU will cover the cost of these investigations.

A.7.5 For cases that are not investigated by a third party, including those filed against visitors and club, ISG and service members they will be investigated by the AVCs. If it is deemed necessary, the AVCs will collaborate with SSMU Security to conduct the investigation.

A.7.6 If the AVCs are involved in conducting the investigation, there will be a separation of the roles of each of the AVCs. Specifically, one AVC will be tasked with facilitating the complaint process and communicating with both parties. The other AVC will be independently tasked with conducting the investigation, and collaborating with SSMU Security if necessary.

A.7.7 An investigation conducted by the AVCs should take no longer than 2 weeks, unless the complainant consents to a longer timeframe. An investigation conducted by a third party should take no longer than one month. In exceptional circumstances, this deadline may be extended by the AVCs.



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A.7.8 The purpose of an investigation is to: gather evidence and witness statements; weigh the evidence; make findings of fact based on the evidence; and produce an investigative report. In an investigation under this procedure, the investigator must outline the evidence, their findings, and conclude, weighing the evidence on a balance of probabilities, either:

- a. that gendered and/or sexual violence did occur; or
- b. that gendered and/or sexual violence did not occur.

A.7.9 A report produced by a third party investigator will be provided to the AVCs who will take the appropriate next steps in the following circumstances:

A.7.9.1 In the instance that the report does not substantiate the complaint, the AVCs will communicate this to the complainant and respondent who will each receive a confidential copy of the investigative report. Either party may seek review of the investigative report by a panel of three members of the GSVP Committee who may unanimously decide to overrule the investigative report.

A.7.9.2 In the instance that the report does substantiate the complaint, the AVCs will communicate this to the complainant and respondent who will each receive a confidential copy of the investigative report. The AVCs will contact the members of the GSVP Committee to arrange the panel to review the report and determine sanctions.

A.8 Review and Sanctions by the GSVP Committee

The GSVP Committee, defined in the SSMU Committee Terms of Reference Book, will be scheduled to meet every two weeks to review complaints referred to them. If there are no complaints, the meeting will be cancelled.

A.8.1 For each complaint that is investigated which requires review, the AVCs will take steps to arrange a committee meeting on the same day that they contact the complainant and respondent regarding the status of the investigation.

A.8.2 Each complaint referred to the Committee will be considered and deliberated on by the GSVP review panel. A review panel will consist of three of the six members of the Committee. There must be one representative from each of the following groups, which are also identified in the SSMU Committee Terms of Reference Book:

- a. A member from the Board of Directors who is not a SSMU Executive;
- b. A representative who is an employee at SACOMSS;
- c. A student member-at-large from the SSMU community.



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A.8.3 The three members of the GSVP Committee who are not on the review panel for that specific complaint will form the appeals panel for the same complaint.

A.8.4 This committee will be arranged by the AVCs, who will present them with the formal complaint and confidential investigative report in writing, not via email. This may be disregarded if a committee meeting is happening remotely over the summer. The committee will read the report during that meeting. During the meeting the review panel will be informed of their obligations to maintain confidentiality.

A.8.5 To ensure procedural fairness, the respondent and complainant will both have the opportunity to submit in writing to the Committee a response to the report, as well as comments on a desired sanction(s).

A.8.6 With information solely from the investigative report and the responses from the two parties, the committee will decide whether there is enough information to determine if act of gendered and/or sexual violence occurred and the sanctions (as listed in A.9) to be imposed. This decision must be endorsed by the majority review panel who will write a final GSVP Committee Complaint report during that meeting.

A.8.6 SSMU holds that the health and safety of complainants in this process, including their mental health and psychological well-being, are paramount. Consequently, the AVCs will ensure that they are communicated both the investigative and committee reports in their entirety.

A.8.7 A summarized version of the committee report, including the name of the respondent, the violation of the GSVP and sanctions imposed will be communicated to all individuals required to enforce the decision. The name of the respondent will be anonymized, unless it is required to be included to ensure proper enforcement of the decision.

A.9 Sanctions

Due to the nature of the SSMU jurisdiction, the sanctions that can be imposed by the SSMU GSVP Committee vary.

A.9.1 For a visitor who is a non-SSMU member, to be enforced by the SSMU security manager in conjunction with the AVCs:

- a. Letter of apology;
- b. Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors



- c. Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.

A.9.2 For a SSMU member, to be enforced by the SSMU security manager in conjunction with the AVCs:

- a. Letter of apology;
- b. Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c. Restrictions related to accessing the SSMU building, other leased spaces or SSMU events;
- d. Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs.

A.9.3 For a SSMU member who is also a member of a club, ISG, or service, to be enforced by the SSMU security manager and/or the VP Student Life in conjunction with the AVCs:

- a. Letter of apology;
- b. Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c. Restrictions related to accessing the SSMU building, other leased spaces or SSMU events;
- d. Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e. Restrictions related to accessing club, service, and ISG spaces, including events.
- f. Restriction from participation in a club, service, or ISG, including removal from executive positions.

A.9.4 For a SSMU employee, including the General Manager, to be enforced by the Human Resources Manager in conjunction with the AVCs:

- a. Letter of apology;
- b. Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c. Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.
- d. Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e. Administrative leave or suspension without pay;
- f. Dismissal from their position at SSMU.

A.9.5 For members of Legislative Council, Judicial Board, the Board of Directors, or the SSMU Executive team, to be enforced by the relevant body in conjunction with the AVCs:

- a. Letter of apology;
- b. Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;



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- c. Restrictions related to accessing the SSMU building, other leased spaces or SSMU events;
- d. Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e. Administrative leave or suspension without pay;
- f. Dismissal from their position at SSMU.

A.9.6 It is important to note that any limitation to space must be a response to the needs of the complainant and the incident. Specific spaces bans are encouraged. Banning an individual from the SSMU building in its entirety must be approached with caution as SSMU offers many services that respondents may need for their own health and safety, such as the Legal Information Clinic or the Peer Support Centre.

A.10 Enforcement

A.10.1 The AVCs has the obligation to communicate the Committee's decision to the appropriate actors and bodies, who will also maintain confidentiality in the steps that they take.

A.10.2 If the complainant has concerns regarding the quality of enforcement, they can contact the AVCs in order to reinforce or escalate sanctions.

A.10.3 The SSMU currently requires that the Board of Directors approve any dismissal of the General Manager. In the instance that the GSVP Committee recommends the dismissal of the General Manager the AVCs will inform the Board of the GSVP Committee's decision and request that they vote to enforce the decision. This meeting will not entail any discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the Board is to enforce the decision which was made by trained representatives.

A.10.4 The Quebec Corporations Act requires that any member of the SSMU Board of Directors or Executive Team be dismissed through a two-thirds majority vote at a Board meeting. In this instance, the AVCs will inform the Board of the GSVP Committee's decision and request that they vote to enforce the decision. This meeting will not entail any discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the Board is to enforce the decision which was made by trained representatives.

A.10.5 The Quebec Corporations Act further requires that any dismissal of an Officer is ratified by the SSMU General Assembly. In this instance, the officer who the Board has voted to be



dismissed will be suspended and an emergency GA will be called. In this instance, the AVCs will inform the GA of the GSVP Committee's decision and Board of Directors decision and request that the GA vote to enforce the decision. This meeting will not entail any discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the GA is to enforce the decision which was made by trained representatives.

A.11 Appeals

A.11.1 An appeal is not an opportunity for the complainant or the respondent to repeat the information provided to the GSVP Committee. The right to an appeal is not automatic and an appeal will only be considered if it meets the following requirements:

A.11.1.1 The appeal is submitted by either the petitioner or the Respondent;

A.11.1.2 The appeal must be made within five business days after the date of the final decision that is the subject of the appeal;

A.11.1.3 The appeal includes the reasons for the appeal, the reasons why the appeal should be granted, the arguments in support of the appeal and the outcome sought;

A.11.2 The appeal must demonstrate that:

A.11.2.1 There has been a fundamental procedural error in the making of the final decision and that such error has caused or will cause actual prejudice to the person seeking the appeal, or

A.11.2.2 There are new facts relevant to the final decision that were not available and could not have been provided to the investigator of GSVP review panel.

A.11.3 The request for an appeal must be made within five business days after the initial decision has been communicated, following section A.10.1.

A.11.4 If an appeal is made, any interim measures implemented during the complaint may be extended for the duration of the appeal.

A.11.5 The appeal will be heard by the appeals panel of the GSVP Committee, defined in A.8.3, within 2 weeks of the request. They will review the findings of the initial panel and consider the grounds for appeal, ultimately deciding the outcome.

A.11.6 The appeals panel will provide their decision in writing to the AVCs, who will inform the complainant and respondent within 24 hours.



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A.11.7 Upon the appeals decision, the AVCs will take appropriate steps to enforce any relevant sanctions.

Human Resources Policy

Date Adopted: 2016/04/07

Expires: 2021/01/01

[Adopted Motion](#) (Link)

1. Background & Scope

This policy aims to ensure that the human resources practices of the Society are well documented, accessible, and conducive to a productive and healthy work environment.



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The Human Resources Policy shall apply to all remunerated staff of the Society. It is a policy administered by the Board of Directors through its Human Resources Committee and through the Human Resources Department.

2. Definitions

The following definitions shall apply to this Policy:

- 2.1 “Commissioner”** shall refer to a Student Staff member who coordinates a committee of the Legislative Council or of the Board of Directors;
- 2.2 “Director-level”** shall refer to Supervisors who report directly to the General Manager and/or the Board of Directors. Officers and the General Manager are to be considered Director-level;
- 2.3 “Guides”** shall refer to comprehensive documents detailing pertinent information related to projects, events, and routine administrative functions within each portfolio;
- 2.4 “Human Resources Department”** shall refer to the department of the Society consisting of the Human Resources Manager, the Anti-Violence Coordinators, and any other Staff whose primary areas of responsibility include human resources;
- 2.5 “Permanent Staff”** shall refer to full-time and part-time staff of the Society who are employed for an indefinite term with contracts that do not have an end date;
- 2.6 “Staff”** shall refer collectively to Permanent Staff and Student Staff;
- 2.7 “Student Staff”** shall refer to casual staff of the Society, who have employment contracts with specified end dates; and
- 2.8 “Supervisor”** shall refer to Officers and other Staff who are directly or indirectly responsible for the performance of other staff members. Supervisors are not necessarily Director-level Staff.

3. Hiring

Each Supervisor shall be responsible for the hiring of the Staff that they supervise. In February of each year, the Human Resources department of the Society shall advertise the available Student Staff positions to the Members. All hirings must be approved by the Executive Committee and ratified by the Board of Directors.



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3.1 Employment Equity

The Human Resources Committee shall be responsible for the creation, implementation and end-of-year review of procedures surrounding employment equity. These procedures shall, at minimum, satisfy legal standards for employment equity.

3.2 Notification of Status

All applicants to remunerated positions of the Society shall be notified of the status of their candidacy as soon as said information is available to the Human Resources Department, within reasonable constraints. All efforts shall be made to inform candidates of their status in a timely fashion.

3.3 Interview Feedback

Interviewed candidates shall be informed of the opportunity to receive feedback regarding their interviews. This feedback shall be issued through the Human Resources Department.

4. Documents

4.1 Job Descriptions

All substantive changes to job descriptions of Student Staff must be approved by the Executive Committee. All substantive changes to the job descriptions of Permanent Staff must be made in consultation with the position's Supervisor, the General Manager, and the Human Resources Committee, and then subsequently approved by the Board of Directors.

Job descriptions shall be considered public and made available to all inquiring Members.

4.2 Employee Files and Archives

Copies of all employment contracts and employee-related documentation, including job descriptions, must be filed with the Office of the Human Resources Manager for archiving.

4.2.1 Archives of Supervisors

It is the responsibility of all Supervisors to provide organized files to their successors, along with a detailed exit report outlining the major events of their tenure and advice in navigating key areas of responsibility in their role. Exit reports shall also be created for projects and events under the responsibility of the Supervisor. All exit reports shall be considered confidential.



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It is the responsibility of all Supervisors to ensure that exit reports from outgoing Student Staff are transmitted to the incoming Student Staff within their portfolio.

4.2.2 Guides

All Supervisors shall develop and maintain Guides on routine projects and processes within their portfolio, where applicable.

4.3 Employee Manual

There shall exist an internal Employee Manual which shall contain information and procedures regarding recruitment, office rules, probationary periods, training, attendance, holidays and personal days, compensation, benefits, and other policies as are relevant to the Society's Staff.

It is the responsibility of the Human Resources Committee to keep the Employee Manual updated and to propose amendments to it as necessary, and at least once annually as a part of this Policy's review cycle.

4.3.1 The Employee Manual shall apply to all Staff and shall be made available to all inquiring Members. An up-to-date digital copy shall be made available on the Society's website.

4.3.2 Any amendments to the Employee Manual shall require approval by the Board of Directors.

5. Training

It shall be the responsibility of each Supervisor, with the support of the Human Resources Department, to ensure that all Staff receive sufficient orientation in their position in order to fulfill their roles to the best of their abilities. This orientation shall include, but not be limited to:

5.1 Going over documents distributed by the Human Resources department with incoming Staff in advance of the academic year;

5.2 Providing Student Staff with an orientation to the SSMU office and introducing them to the Permanent Staff.

Each Supervisor shall ensure that the Staff under their supervision are informed that requests for additional training may be made at any point during the year, within reasonable time constraints and financial constraints.



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5.1 Training Documents

5.1.1 It shall be the responsibility of the Human Resources Department to distribute the following documents to new Student Staff:

- a. The Student Staff Integration Guide;
- b. The Student Staff Orientation Guide;
- c. The Student Staff Training Checklist; and
- d. The Employee Manual.

5.1.2 New Permanent Staff and Officers will receive:

- a. The Employee Manual
- b. The position's Training checklist; and
- c. The two (2) most recent exit reports for their position, where applicable.

5.1.3 Newly-elected Officers will receive a guide on the suggested steps to take in order to navigate their part-time student status.

5.2 Mandatory Trainings

As part of their orientation, all Supervisors shall attend a training on Mental Health, Gendered and Sexual Violence, and Equity prior to commencing supervision of any Staff. This training will be arranged through the Office of the President, in conjunction with the Human Resources Department, and will serve to ensure that the SSMU is a mental health-positive and equitable workplace free from oppression and violence.

6. Staff Reporting

Staff are required to report regularly to their supervisor regarding the status of work-related projects and activities with a frequency as negotiated with the Supervisor. In addition:

6.1 Commissioners must report at least once per semester to either the Legislative Council or the Board of Directors, depending on the nature of their work. These reports may be submitted either verbally or in writing.

6.2 Director-level Staff must report at least once per quarter to the Board of Directors, with the option of reporting as a bloc.



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7. Vacancy

In the event that a Commissioner or Supervisor position is vacant, either the Board of Directors or Legislative Council shall be notified, depending on the nature of the position.

8. Compensation

The Human Resources Committee shall set and adjust an annual pay scale for Student Staff, maintained by the Human Resources Department of the Society. The scale, including the range of rates and the method for determining each pay rate, shall be made available to any inquiring Members.

Individual pay rates for each position shall be considered confidential to the Board of Directors.

APPENDIX: GENERAL CONFLICT RESOLUTION

All Staff may consult the Human Resources Department in the event that they have a conflict or issue with their Supervisor or another coworker.

All Staff may file an official complaint with the Human Resources Department in the event that a conflict or issue cannot be resolved informally. Such complaints will be handled by the Human Resources Manager, and, depending on the nature of the complaint, the Equity Commissioners or Anti-Violence Coordinators, who may also involve the President and any other staff on a case-by-case basis. Both parties to the conflict will be notified as to the outcome of the mediation, along with any sanctions imposed, as soon as this information becomes available.

The Human Resources Manager shall notify the Human Resources Committee when a complaint involves a Supervisor(s).