



<b>POLICY MOTION NUMBER</b> 2019-01 (2101)	<b>PASSED:</b> FEB 11, 2019
<b>TITLE</b> POLICY ON PERSONAL HARASSMENT POLICY AND PROCEDURES	<b>EXPIRES:</b> FEB 11, 2022

WHEREAS it is imperative that institutions, post-secondary included, are well prepared in policy and in practice for handling complaints of personal harassment;

WHEREAS best practices for equity policies are rapidly developing in the wake of a critical juncture spurred by the #MeToo and corresponding movements;<sup>1</sup>

WHEREAS the absence of a written and accessible personal harassment policy and procedure in institutions with notable power imbalances, like universities, is inappropriate;

WHEREAS the presence of a written and accessible personal harassment policy and procedure is beneficial to both complainants and respondents alike in terms of assuring due process and expectations;

WHEREAS a personal harassment policy and procedure provides an opportunity to not only outline one's negative duties but also their subsequent positive duties;<sup>2</sup>

WHEREAS Mount Allison does not currently have a personal harassment policy and procedure inclusive to students, staff and faculty;

WHEREAS Mount Allison does not currently have a staff member fully dedicated to the maintenance, implementation, and logistics of a personal harassment process or, more broadly, human rights processes;

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<sup>1</sup>R. P. Battaglio and Jeremy L. Hall, "Time's Up: Equity, Fairness, and Public Administration," *Public Administration Review* 78, no. 3 (2018): 335-37. doi:10.1111/puar.12949. While the #MeToo movement is rooted in the societal and institutional failures in handling and preventing sexual harassment, it is argued that this movement has greater implications. As Battaglio and Hall indicate, "Social media activity, specifically the #MeToo movement, has refocused attention not only on sexual harassment, but also on broader concerns regarding social equity in the workplace" (335).

<sup>2</sup> Negative duties limit behavior (ie. what one ought not do), while positive duties stipulate behavior (ie. what one ought to do). There is a difference between outlining what is inappropriate (eg. Bullying colleagues) and what is desirable (eg. Treating others with respect). The terms' distinction is explained in the following: Marcus Singer, "Negative and Positive Duties," *The Philosophical Quarterly* 15, no. 59 (1965): 98. doi:10.2307/2218209.

BE IT RESOLVED THAT the MASU advocates to the university for the creation of a personal harassment policy and procedure that includes students and clearly outlines the various complaint processes to be in practice;

BE IT FURTHER RESOLVED THAT the MASU advocates to the university for the creation and hiring of a Human Rights Officer, or an analogous position, to raise awareness of a personal harassment policy and procedures, navigate complainants and respondents through its various processes, and implement Alternative Dispute Resolution (ADR) when appropriate; and

BE IT FURTHER RESOLVED THAT the MASU encourages the university to implement the following list of policy and procedure best practices:

- 1) Policy and procedure(s) should be written with a variety of stakeholders involved, including students;
- 2) Policy and procedure(s) should have set reviews through which new best practices can be identified and implemented;
- 3) Policy and procedure(s) should be accessible, both in terms of its availability and its readability;
- 4) Policy and procedure(s) should be paired with active engagement, outreach and education;
- 5) Policy and procedure(s) should be supported with trained or experienced mediators when deemed necessary;
- 6) Policy and procedure(s) should have timeline flexibility for the entertainment of complaints, and the ability for interim action given the situation;
- 7) Policy and procedure(s) should include language on annual reporting;
- 8) Policy and procedure(s) should be prepared for reciprocal complaints;
- 9) Policy and procedure(s) should not only outline the negative responsibilities of the community, but also the positive responsibilities; and
- 10) Policy and procedure(s) should include gender-inclusive language.