

PSAC MEMBER CODE OF CONDUCT AND ANTI-HARASSMENT POLICY FOR UNION EVENTS

(As amended June 6, 2025)

1. PREAMBLE

This Policy establishes expectations for member conduct at all events, courses, conferences, conventions, schools, meetings or social gatherings organized or held by PSAC. (This Policy collectively refers to these circumstances as “**Union Events**,” defined below). For the purposes of this Policy, “PSAC” refers to PSAC Centre/National, Components, Locals, Directly Chartered Locals, and other related or affiliated bodies.

This Policy sets out a process for handling complaints of inappropriate behaviour of members at Union Events. It is designed to ensure a safe, respectful and supportive environment within PSAC and at Union Events. It is meant to enhance the rights and obligations outlined in the PSAC Constitution and applicable human rights legislation, not replace them.

Harassment, as prohibited by the Constitution and this Policy, whether personal or based on a prohibited ground of discrimination, contradicts the fundamental principles of union solidarity, dignity and respect. Prevention of harassment and discrimination are essential to maintaining a safe and healthy union environment.

PSAC will ensure that complaints of harassment and discrimination are dealt with in a timely and appropriate manner that respects the procedural rights of all parties. Where possible, informal resolution or alternative forms of resolution are encouraged as an effective means of resolving complaints.

This Policy is not intended to prevent respectful debate and discussion. Debate and the free expression of ideas and perspectives, especially on difficult issues, are critical for a democratic union to remain vibrant and strong. In addition, this Policy is not to be used for political gain or to address matters that are purely about inter-personal conflict rather than conduct that amounts to a violation of this Policy.

This Policy should be read in conjunction with the preamble that is contained in Regulation 19. The principles set out in that preamble regarding the importance of acting in a manner consistent with our union’s values and refraining from abusing complaint processes, are equally relevant to the application of this Policy.

2. OBJECTIVES

The objectives of this Policy are:

- a) to foster and maintain a respectful union environment in which union members treat each other with mutual respect;
- b) to set out the types of behaviours that will not be tolerated;
- c) to ensure union members are aware that harassment, discrimination, and/or violence against other members and/or PSAC staff will not be tolerated at Union Events;
- d) to provide a procedure to deal with complaints of misconduct, harassment, discrimination and/or violence while at Union Events; and
- e) to outline the preventative, remedial and disciplinary actions that may be taken when a complaint of misconduct, harassment and/or discrimination arising at a Union Event has been brought forward and/or substantiated.

3. APPLICATION

a) Member Conduct at Union Events

This Policy applies to members' conduct at Union Events held by all structures of PSAC. Complaints that arise from workplace situations that are unrelated to union business are generally dealt with through the employer's applicable workplace anti-harassment policy, procedures under the collective agreement, and/or other applicable legal processes governing the employer-employee relationship.

When harassment (or other conduct that is contrary to the PSAC Constitution) happens in situations relating to union business, but occurs outside of any specific Union Event, such complaints of harassment should be addressed as per the process described under Regulation 19.

b) PSAC Staff

As per Section 1.5 of Regulation 19, situations involving both members and PSAC staff that concern allegations of harassment, discrimination, and/or violence will be dealt with in accordance with the process outlined in the applicable PSAC staff collective agreement and/or PSAC's workplace policies and applicable legislation.

However, where a complaint involving both members and staff arises while attending Union Events, the complainant may notify the Anti-Harassment Coordinator of the Union Event of the conduct for immediate assistance in accordance with Section 8 below, or may notify their manager, supervisor, or Director directly. If the Anti-Harassment Coordinator is notified, they will refer the matter to the individual's manager, supervisor

or Director so that the complaint can be dealt with in accordance with the applicable staff collective agreement, PSAC workplace policies and applicable legislation.

A finding of harassment, discrimination and/or violence by a member against a staff person may result in discipline pursuant to the disciplinary process outlined under Regulation 19.

c) Third Parties

Applicable legislation may apply to allegations of harassment and/or discrimination involving third parties (e.g. hotel staff, public, etc.). The parties in these circumstances may opt to make a complaint under this Policy.

4. DEFINITIONS

a) PSAC

For the purposes of this Policy, “PSAC” refers to PSAC Centre/National, Components, Locals, Directly Chartered Locals, and other related or affiliated bodies.

b) Union Events

Under this Policy, “Union Events” includes any events, courses, conferences, conventions, meetings, schools or social gatherings organized or held by PSAC (whether virtual or in-person). A Union Event does not include, for example, when a third party uses union space for events such as parties, meetings, or conferences organized by their own organization.

c) Discrimination

Sections 5 (b) and (c) of the PSAC Constitution state that:

Every member in good standing as defined in Section 4, Sub-Section (2) is entitled:

(b) to be free from any act or omission on the part of the union or other members, that would discriminate against the member on the basis of age, sex, colour, national or ethnic origin, race, religion, marital status, family status, criminal record, physical or mental disability, genetic characteristics, sexual orientation, gender identity or expression, language, political belief, social and economic class, or employer; and

(c) to be free from harassment by another member, both within the union and in the workplace, on the basis of any of the grounds mentioned in paragraph (b).

Discrimination at Union Events is defined by this Policy as:

- Any form of distinction, exclusion, preference, or differential treatment based on the grounds listed above.
- It may be intentional or unintentional.
- It may be obvious, or it may occur in very subtle ways.

d) Harassment

Harassment means any conduct or vexatious comment that the individual knew or ought reasonably to have known would be unwelcome, or would cause offence or harm. For the purposes of this Policy, “harassment” includes, personal harassment, discriminatory harassment, and sexual harassment, as defined below.

Elements for the Definition of Harassment include:

- i. harassment may be verbal, physical or visual (i.e. inappropriate writing or hand gestures);
- ii. harassment includes comments or conduct that tend to ridicule or disparage a person or group, that could cause humiliation, insult, apprehension or disruption, or may poison the environment;
- iii. whether a reasonable person in the shoes of the complainant would be offended or harmed;
- iv. the comment or conduct does not have to be intentional;
- v. harassment may be a series of conduct or comments that happen for a period of time or it may be one incident that is serious, egregious or constitutes a threat and has a lasting impact;
- vi. the complainant does not have to object to the behaviour to establish that there is harassment; and
- vii. the unwelcome comment or conduct does not have to be directed at a specific person for harassment to occur.

e) Personal Harassment

Personal harassment is not limited to the “prohibited grounds” and is defined as repeated conduct which is hostile or unwanted, and includes verbal comments, actions or gestures that affect a member’s dignity, psychological integrity or physical integrity, resulting in a harmful environment. A single serious incident of such behaviour may also constitute personal harassment.

It should be noted that sexual and physical assaults are defined by the *Canadian Criminal Code* and may be dealt with pursuant to that legislation.

f) Discriminatory Harassment

Discriminatory Harassment refers to engaging in a course of vexatious comments or conduct based on one of the prohibited grounds of discrimination that is known or ought reasonably to be known to be unwelcome.

g) Sexual Harassment

Sexual harassment is a form of discrimination and includes, but is not limited to:

- conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her
- negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of their sex, sexual orientation, gender identity or gender expression
- unwelcome sexual solicitation, advance or demands made by a person in authority who has the power to reward or punish the recipient; and/or
- a reprisal or threat of reprisal, punishment or denial of a benefit against the recipient for rejecting or refusing a sexual solicitation or advance

Individuals of any gender can be victims of sexual harassment. Furthermore, individuals of any gender can also be the perpetrators of sexual harassment.

h) Violence

Violence includes the exercise of, attempt to exercise, or threat to exercise physical force by a person against a member that causes or could cause physical injury to that member.

Violence can be defined broadly enough to include acts that may be considered criminal. For the purpose of this Policy, violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects
- verbal or written threats to physically attack a member
- leaving threatening notes or sending threatening emails
- wielding a weapon at a Union Event
- stalking someone; and
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

i) What is not discrimination, violence, or harassment?

Not all inter-personal conflicts or ordinary differences of opinions meet the definition of harassment and/or discrimination. Further, this Policy is not intended to constrain acceptable social interactions, discussions or debates at Union Events. Each situation must be assessed on a case-by-case basis.

5. CODE OF CONDUCT

PSAC members shall be governed by the principles of this Code of Conduct at Union Events. As such, all PSAC members and elected officers agree to:

- Communicate respectfully and appropriately.
- Respect the views of one another, despite disagreement or differences of opinion.
- Recognize and embrace differences; demonstrate cultural humility.
- Support, assist, and uplift one another.
- Seek clarification when unsure about something.
- Challenge your own assumptions and biases—we all have them, and growth starts with self-awareness.
- Not engage in offensive, aggressive, bullying, or intimidating comment or conduct.
- Not engage in violence, discrimination or harassment. For greater clarity, violence, discrimination and harassment at Union Events is prohibited.
- Recognize that self-induced impairment while participating in union activities, including social events does not excuse inappropriate behaviour or other conduct in violation of this Code of Conduct.
- Take action and respond to violations of this Code of Conduct by reporting violations as outlined below.
- Refrain from using the complaint process set out in this Policy for improper purposes such as: for political gain or to take issues with matters that constitute mere interpersonal conflict or disagreements of opinion, rather than those actions that meet the above definitions of harassment, discrimination or violence.

6. ROLES & RESPONSIBILITIES

a) Presiding Officer

For the purposes of this Policy, the host or organizer of the Union Event is deemed to be the person responsible for ensuring that the policy is implemented and applied. They are referred to in this Policy as the “**Presiding Officer**”.

If the Presiding Officer is a party to the complaint, the next highest elected official at the Union Event will be deemed to be the Presiding Officer for the purposes of dealing with the complaint.

For periods of time when the Presiding Officer is not able to be at the event, they will designate the next highest elected official at the event to act as the Presiding Officer in their absence.

b) Anti-Harassment Coordinator

A “**Anti-Harassment Coordinator**” will be assigned for all Union Events (however, for union meetings and other informal circumstances, please see Section 9 of this Policy). Depending on the size and nature of the Union Event, the Anti-Harassment Coordinator may be supported by a team of other individuals to assist them in their duties.

The Anti-harassment Coordinator, and their team if applicable, will be selected by the Presiding Officer (or as is often the case at regional events, they may also be assigned by union staff responsible for assisting with the organization of the event).

At Union Events, the Anti-Harassment Coordinator (supported by their team, if applicable) is responsible for receiving and addressing complaints in accordance with the procedure set out at Section 9 of this Policy.

Best efforts will be made to ensure that the Anti-Harassment Coordinator is a person with adequate knowledge, training and/or experience in the areas of harassment, human rights and conflict resolution. For example, this could include a member who serves as a union representative and who by virtue of their role has received relevant training and acquired experience in these areas, or a staff person who has these areas of expertise/experience.

If the Anti-Harassment Coordinator is a party to a complaint or has any conflict of interest relating to a complaint, the Presiding Officer will designate another individual at the Union Event to act as the Anti-Harassment Coordinator for the purposes of dealing with that complaint.

7. ANTI-HARASSMENT STATEMENT

It is encouraged that the union's anti-harassment statement be read out loud and provided to all members at the beginning of all Union Events (see Appendix A). It will include a reminder to all members that PSAC members and staff have the right to participate in an environment free of all forms of harassment, discrimination, and violence; and will inform members where they can find a copy of this Policy. It will also state the name and contact information of the Anti-Harassment Coordinator (and their team if applicable) responsible for receiving complaints at the event.

8. COMPLAINTS ARISING AT UNION EVENTS (OTHER THAN UNION MEETINGS)

A complaint regarding a violation of this Policy should generally be made in writing (unless it is not possible, in which case the complaint may be raised verbally and the Anti-harassment Coordinator will make written note of it). Complaints will be handled as follows:

- a) If possible and appropriate given the nature of the circumstances, the complainant may attempt to deal directly with the member violating the Code by asking them to stop such behaviour.
- b) If it is not possible for the complainant to raise their concern with the other member directly, or if it does not resolve the problem, they may bring forward a complaint.
- c) Complaints at Union Events shall be brought to the attention of the designated Anti-Harassment Coordinator.
 - i. If the complaint involves both a PSAC member and a PSAC staff person, the Anti-Harassment Coordinator shall refer it to the staff person's manager, supervisor or Director so that the complaint can be dealt with in accordance with the applicable staff collective agreement, PSAC workplace policies, and legislation.
- d) Once a complaint is received, the Anti-Harassment Coordinator will work to seek a resolution.
- e) If this fails to resolve the matter, the Anti-Harassment Coordinator shall report the matter to the Presiding Officer. The Presiding Officer shall:
 - i. Where appropriate, and if the Presiding officer feels that further efforts to resolve the situation could be helpful, the Presiding Officer may attempt to resolve the situation through informal conflict resolution.
 - ii. If such further efforts are not appropriate or fail to resolve the matter, the Presiding Officer shall determine whether any immediate corrective action is required, such as removing the member from the event. The Presiding Officer has the authority to expel members from the event for serious or persistent offenses.

- f) Either the Anti-Harassment Coordinator or Presiding Officer shall prepare a report on the matter.
 - i. In a case where a member has been expelled from a PSAC National event, the report shall be provided to the National President.
 - ii. For all other structures of PSAC, the Presiding Officer shall maintain a record of the report on the matter.
- g) For events organized by PSAC National, the National President shall determine if further remedial action is appropriate. Where it is, the National President may refer the matter to the Regulation 19 disciplinary process, including to determine whether any disciplinary action should be taken to restrict the member's participation in future events. With respect to events organized by other structures of PSAC, if the Presiding Officer believes that further remedial action is appropriate, they will determine whether the matter should be referred to the Regulation 19 disciplinary process.

9. ISSUES ARISING AT UNION MEETINGS AND/OR INFORMAL SETTINGS

It is recognized that PSAC members engage with each other in a large variety of settings and contexts. What is most important is that all members are aware that the expectations of non-harassment and appropriate conduct apply to all union-related interactions members have with each other, that members know who to turn to if they experience harassment, and that these incidents are adequately addressed.

It is recognized that the application of the above formal procedure may not always be feasible in all union meetings, particularly smaller, informal meetings. (For example, a meeting of 2 to 3 members about union business won't typically have an Anti-harassment coordinator assigned, although the expectations around non-harassment and appropriate conduct applies.). As a result, this section aims to provide guidance on how harassment issues may be dealt with at union meetings.

For formal union meetings, such as meetings of local, component, or national executives, the highest elected officer responsible for organizing and/or chairing the meeting should act as the Anti-Harassment Coordinator for the purposes of handling any concerns or complaints of harassment occurring at the meeting. They will attempt to address and resolve the issue, however, where it is not possible to do so, or for conduct that is quite significant in nature, it is possible that recourse may be pursued via the Regulation 19 procedure (see Section 10 of this Policy below).

For very small and/or informal meetings between members, about union business, members are encouraged to attempt to collaboratively address and resolve the issue amongst themselves (where possible and appropriate). If a resolution is not possible, or if the nature of the incident is quite significant, then a member(s) could submit a Regulation 19 complaint regarding the incident. In such situations, members should look at the Chart at Appendix A of Regulation 19 to determine which union officer they should submit their complaint to. If after looking at the Chart it is still unclear to the

member(s) who the appropriate person to submit the complaint to is, they may seek guidance from their REVP, Component President, or the PSAC National President.

10. ADDITIONAL RECOURSE

In the event that the complainant believes that the issue that arose at the Union Event was not satisfactorily resolved through the process outlined in this Policy, the complainant may make a complaint under Regulation 19, by submitting a complaint to the Presiding Officer. The complaint should include the information required under Section 5.3 of the Regulation. The Presiding Officer will act as the “Receiving Officer” of the complaint, for the purposes of the Regulation 19 process. (See Section 5.2 of Regulation 19).

11. QUESTIONS ABOUT THIS POLICY

At Union Events, questions about this Policy can be directed to the Anti-Harassment Coordinator (and their team, if applicable). Outside of events, questions about this Policy may be directed to your Component President, REVP, or the PSAC National President.