

# Harassment & Grievance Policy

*Ratified by the Chapter on 2019-07-15*

## Overview

Southern Maine Democratic Socialists of America (SMDSA) is working to win a socialist world. To build it, we need to create systems and center values vastly unlike those that exist today. A key part of this project will be a justice system that can provide a restorative alternative to the state. We believe that a first step is to establish a socialist code of conduct.

Our code of conduct must define which actions are unwelcome. It then must clearly detail a democratic process to resolve conflict. The goal of such a code is to help make SMDSA a safe and just space. We must be thorough and firm in response to all risks to member safety. However, we don't aim to simply punish those who transgress. We aim to engage in a larger process that builds trust, fosters good faith, and strengthens our community.

This process will be long and may produce new outcomes as we learn what does or does not work. This code is not meant as a rigid set of rules, but as a living agreement open to trial and revision.

## Definitions

For this policy, the word **member** refers to anyone who is in good standing with their dues and covered in SMDSA's bylaws. The word **grievance** refers to a complaint submitted to this process. The word **grievant** refers to those who submit the grievance. The word **accused** refers to those whom the grievance is about. The word **harassment** will refer to all harassment, discrimination, misconduct, and abuse.

## Harassment is meant to include:

- Any pattern of conduct that makes others feel unsafe or unwell. This includes unwelcome attention; inappropriate or offensive remarks, slurs, jokes, or presentation of images; violence; threats of violence; stalking; intimidation; sustained disruptions after requests to stop.
- Any misconduct based on identity. This includes sex, gender identity or expression, sexual orientation, physical appearance, disability, race, color, religion, national origin, class, age, profession, immigration status, mental illness, or neurotypicality.
- Any misconduct that implies submission is required to be a member of SMDSA.
- Any conduct that creates a hostile setting that harms a person's capacity to organize within SMDSA.
- Any other conduct that negatively affects a person's experience with SMDSA.

## Code of Conduct

This code covers all harassment between SMDSA members, wherever it may take place. It also covers all harassment in SMDSA spaces. These spaces may be physical or virtual, public or private, formal or informal.

Harassment will not be tolerated. Any member who believes this code has been broken may submit a grievance through the process defined below.

### **Harassment Grievance Officers (“HGOs”)**

SMDSA shall elect three (3) HGOs. HGO seats will cover one (1) year, be elected annually, and observe no term limits. HGOs shall not also be members of the Steering Committee.

The election process for HGOs will be as follows:

- Members may be nominated by other members or may nominate themselves. Accepting a nomination makes the member a candidate.
- Candidates must be published to members at least thirty (30) days prior to election.
- Prior to election, members may communicate concerns about a candidate in writing to either the Steering Committee or the incumbent HGOs at their discretion. The identity of members who raise concerns will remain confidential. If the concerns are determined to be serious enough, the member’s candidacy may be revoked.
- For the election, members will vote to approve each candidate individually. Candidates must receive at least ninety percent (90%) approval to continue.
- If after the approval round there are more candidates than vacancies, there will be a run-off ranked-choice election. Otherwise, all candidates will be seated.

### **Timeline**

The grievance timeline will be as follows:

- The grievant will fill out the form on the website or email [HGO@smdsa.org](mailto:HGO@smdsa.org).
- Within seven (7) days of receiving a grievance, an HGO will contact the grievant in writing to acknowledge receipt of the grievance. The HGO will also contact the accused in writing to request their response.
- The accused will have seven (7) days after notification to respond in writing.
- HGOs will have fourteen (14) days to complete the investigation and make a recommendation to the Steering Committee.
- The Steering Committee will resolve the grievance within seven (7) days of receiving a recommendation from the HGOs.
- The Steering Committee will inform the grievant and the accused of their decision within seven (7) days of the decision.

### **Remedies & Penalties**

The HGOs may decide that a grievance is not credible. In this event, they may recommend either no action or a voluntary, informal conflict resolution process. A majority of all seated members of the Steering Committee must also decide if a grievance is credible. If a grievance is credible, the Steering Committee may take some or all of the HGOs’ recommendations for

remedies and penalties. The Steering Committee may also add remedies or penalties of their own accord.

Remedies and penalties may include:

- A formal discussion between the accused and the Steering Committee to develop a plan to change the harassing behavior(s)
- Suspension from committee meetings and other chapter or organizational events
- Removal from chapter committee(s)
- Removal from holding leadership positions
- Removal from SMDSA

Remedies and penalties may be informed by, among other things:

- The request of the grievant
- The severity of the grievance
- The response of the accused
- The relevant behavioral history of the accused

**Process.** All parties are urged to refrain from discussing the process on social media, Discord, or with others.

**Retaliation.** This policy prohibits retaliation against any individual involved in the grievance process in any way, including the grievant and the accused. Retaliation includes threats, intimidation, reprisals, or other adverse actions. If any individual believes there has been retaliation, they may inform the HGOs. The HGOs will decide whether to factor this information into the original grievance or treat it as a new grievance.

**Consensus.** HGOs will strive for consensus in determining a grievance's credibility and remedy. Where consensus cannot be found, each HGO will prepare their own recommendations for the Steering Committee, who may use or adapt those to create their decision.

**Recusal.** HGOs shall recuse themselves from any grievance in which they do not feel they can remain impartial.

**Removal.** If either the grievant or the accused feel that an HGO may not be impartial, they may request that the HGO be removed from the grievance. The other HGOs will review the request and decide whether to remove the HGO from the grievance or not. If there is a request to remove all HGOs from a grievance, the Steering Committee will review the request and decide. If either the grievant or the accused is a member of the Steering Committee or an HGO, they will automatically be removed from the grievance.

**Appeals.** To appeal a decision, any party may follow the appeals process in National DSA's Resolution 33.