APPENDIX A - DEFINITIONS - BULLYING AND HARASSMENT POLICY

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Policy Authority: Vice-President, People, Equity and Inclusion

Parent Policy: Bullying and Harassment Policy (GP 47)

1.0 PURPOSE

1.1 The definitions in this Appendix define the words used in the Bullying and Harassment Policy (GP 47) and in the Bullying and Harassment Procedures.

2.0 DEFINITIONS

2.1 Academic Freedom means the freedom to examine, question, teach, and learn, including the right to investigate, speculate, and comment without reference to prescribed doctrine as well as the right to criticize the University and society at large. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.

2.2 Bullying and Harassment ("bullying and harassment") includes any inappropriate conduct or comment by a person towards a member of the University Community that the person knew or reasonably ought to have known would cause the member of the University Community to be humiliated or intimidated, but excludes:

2.2.1 any reasonable action taken by the University, or by its employees in supervisory positions, relating to the management and direction of employees or the workplace;

2.2.2 any reasonable action taken by the University, or by an instructor, faculty member, or person in a similar position, relating to the management and direction of Students in the classroom or to the management, direction, assignment, or supervision of research or academic work.

Examples of reasonable action, when undertaken in an appropriate manner, include expressing differences of opinion, offering constructive feedback, guidance or advice, evaluating work, and establishing deadlines.
Examples of conduct or comments that might constitute bullying and harassment include verbal aggression, using derogatory names, vandalizing personal belongings, and making aggressive or threatening gestures.

2.3 **Complainant** means the person who seeks recourse under this policy based on a belief that they have experienced conduct which is prohibited by this policy. The University may take on the role of Complainant.

2.4 **Constituency Organization** means the Administrative and Professional Staff Association (APSA), Canadian Union of Public Employees (CUPE 3338), Poly Party, Simon Fraser Student Society (SFSS), Graduate Student Society (GSS), Simon Fraser University Faculty Association (SFUFA), and the Teaching Support Staff Union (TSSU).

2.5 **Mediation** means a voluntary process in which the parties attempt to resolve the issue(s) that led to the Report through an agreement reached between the parties with the assistance of a neutral third party.

2.6 **Report** means a statement of facts alleged by a Complainant seeking recourse under the Bullying and Harassment Policy. A Report is made by completing the Bullying and Harassment Report Form and submitting it to Safety and Risk Services.

2.7 **Respectful Workplace Educational Component** means the University’s mandatory education and training for members of the University Community to whom the University’s WorkSafeBC coverage applies, as required by OHS provisions under the Workers Compensation Act.

2.8 **Respondent** means a person or persons against whom a Report has been made under the Bullying and Harassment Policy.

2.9 **Responsible Office** means the University administrative office designated in section 6.6 of the Bullying and Harassment Policy, responsible for overseeing and managing the University’s response to Reports and for providing advice and support to Supervisors. The Responsible Office is determined by the Respondent’s affiliation to the University within the context of the incident(s) described in the Report. The Responsible Office is:

- 2.9.1 Faculty Relations, for Reports about members of the SFUFA bargaining unit;
- 2.9.2 Human Resources, for Reports about employees who are members of the APSA, CUPE, Poly Party, and TSSU employee groups;
- 2.9.3 Human Resources, for Reports about excluded employees and members of the University’s Executive or senior administration, including Deans and Associate Deans;
- 2.9.4 Office of Student Support, Rights, and Responsibilities for Reports about Students;
- 2.9.5 Office of General Counsel, for Reports about members of the University Community whose affiliation with the University does not fall within sections 2.9.1 to 2.9.4.
2.10 **Retaliation** means an adverse action or threatened action, direct or indirect, taken or made through any means, against a person who invoked this policy or its procedures in good faith, or against a person who participated or cooperated in good faith in a University process addressing a Report. Retaliation is prohibited conduct.

2.11 **Student** includes any of the following: an undergraduate who is enrolled at the University for one or more of the last three terms and is eligible to continue in a program of study; a graduate student who is enrolled at the University in the current term and is eligible to continue; a graduate student who is on leave and eligible to enrol at the University when the leave ends; a visiting or exchange or special audit student who has been formally admitted to the University for the purposes of taking courses or to take part in an approved research term; a graduate student who is enrolled in courses at the University as a qualifying student; or a person enrolled at the University in a non-credit program or course.

2.12 **Supervisor** means the person designated by the University under this policy and responsible for, among other things, determining whether the policy was violated and whether disciplinary sanctions will be imposed.

2.13 **University Community** means all students and employees of the University and all people who have a status at the University mandated by legislation or other University policies, including research assistants, post-doctoral fellows, members of Senate and the Board of Governors, volunteers, visiting and emeritus faculty, and visiting researchers.