



**THE ALMA MATER SOCIETY  
OF THE UNIVERSITY OF BRITISH COLUMBIA VANCOUVER**

**AMS EXECUTIVE COMMITTEE**

Minutes of April 25, 2023

**Attendance**

Present: Eshana Bhangu (President), Anisha Sandhu (VP Academic & University Affairs, left 12:55, returned 4:15), Ben Du (VP Administration), Lawrence Liu (VP Finance), Erin Co (VP External, left 1 pm, returned 4:30), Celia Chung (Acting Managing Director), Kathleen Simpson (Senior Manager of Student Services), Sheldon Goldfarb (Archivist & Clerk of Council)

Recording Secretary: Sheldon Goldfarb

**Call to Order**

- The meeting was called to order at 11:34 am in Nest Room 3511.

**Agenda**

- The agenda was approved by consensus.

**Minutes**

- The minutes of April 18 were approved (Eshana, Erin).

**Survey Policy**

- To be circulated and voted on by email.

**Code Changes**

- Eshana:
  - Some more changes to:
    - Advocacy Committee:
      - Set the number of at large members at 2.
      - Have Advocacy advise rather than assist the Vice-Presidents.
      - Have Advocacy advise on the Academic Experience Survey.
    - Governance role in Code changes: all amendments have to go to the committee or the chair for consultation (but not approval).
    - EPA Committee will have to meet if a Councillor requests it.

**PC1 and PC2**

- Line by line review of the new policies on Respectful Community (PC1) and Sexualized Violence (PC2).

- Comparing the lawyers' draft with the in-house draft.
- Eshana:
  - We're not looking for a statement on equity.
  - What we want is a procedure on complaints.
  - The annual review idea won't work; these should be reviewed every three years.

### PC1

#### Ban on using Services

- Kathleen:
  - We should retain the ban on using our Services for those who violate the policies.
  - Need to protect the Services.

#### Definitions:

- General consensus: too many definitions for things not mentioned elsewhere in the policy, so many of them are being removed.

#### Terms to use for the parties: "complainant" is not used anymore.

- Previous drafts used PR and PN for Person Reporting and Person Named, but that seemed too confusing.
- Will simply say things like "the person who filed the report."
- Could say "respondent."
- When referring to both, can say "parties."

#### Disclosure and reporting:

- Kathleen:
  - There are no exceptions to let something not be reported.
- Eshana:
  - If you see bullying, you should report it.
- Kathleen:
  - UBC says it is up to the person experiencing the unwanted behaviour.
- Celia:
  - If there is disclosure and it's serious, we're supposed to take action.
- Eshana:
  - Let's clarify: for PC2, people coming to SASC, there should be confidentiality.
  - Sexualized violence is more sensitive.

#### Discussion of false claims:

- Eshana:

- Concerned about the penalty: holding the person financially responsible for costs if they make a false claim.
  - Could be thousands of dollars.
- Kathleen:
  - Could have chilling effect on complaints.
- Eshana:
  - We don't need that penalty.
  - We can just say there is zero tolerance for frivolous, false, and fake complaints.

#### Examples

- Legal version has them.
- Eshana:
  - They're from WorkSafe BC.

#### Decision-Makers

- Eshana:
  - Point of contention.
  - Who should you report to?
  - Managing Director? HR?
  - Probably HR for staff; Ombuds for general AMS members.

#### Discretion:

- Eshana:
  - Managers should be able to use their discretion.
  - Can we ask the lawyers for language to include discretion?
  - Not every incident needs to go through the formal procedure.

#### PC1 and PC2

- If harassment is under both PC1 and PC2, refer to PC2.

#### Disclosure and Reporting again:

- Issue of reporting being required.
- Eshana:
  - Discrimination and bullying are different from sexualized violence, and affect others as well as the person directly impacted.
- Kathleen:
  - Do Peer Support and SASC have to break confidentiality to report?
- Celia:
  - Maybe allow it not to be reported formally.
  - Someone who discloses could want an informal process, not a formal one.
- Anisha:

- The person disclosing should still have the autonomy to decide.

[Anisha leaves.]

- Kathleen:
  - There's some contradiction in the draft policy about discretion.
  - There are two sides to this.
- Eshana:
  - Formal report? Or just inform HR or manager?

[Erin leaves.]

Conflict of Interest

- Should say something about conflict of interest: e.g., can go to Ombudsperson if there's a conflict of interest with HR.
- Is there a conflict if someone was just accused in the past?
  - No.

Decision-Makers again

- Kathleen:
  - Why so many people involved in the decision-making?
  - Too many people getting to know.
- Eshana:
  - Should AMS Execs be so involved?
  - Currently, Ops Comm decides, but that's not good.
- Ben:
  - The panel idea is for breadth: at least someone on the panel will have experience.
- Eshana:
  - Should the Managing Director be on the panel?
- Lawrence:
  - Already have the President; not sure we need the Managing Director.
- Kathleen:
  - Why is there a Councillor on the panel? What do they add?
- Eshana:
  - They're a check on the VP Admin.
- Celia:
  - Five people is a lot.
- Eshana:
  - We don't need the Equity person on the panel.
- Panel for students will be:

- VP Finance, VP Admin, Chair of Operations Committee (if they are the VP Admin, then the Vice-Chair), Senior Student Services Manager, Chair of HR Committee.
- (President left off so they can be the Review person.)

*The meeting recessed from 2 pm to 4:15 pm.*

*PC2*

- Making many of the same changes as for PC1.

False claims

- Removing term “unsubstantiated” in warning against false claims: too much of a barrier.
- But retain the statement that those making false claims may be subject to corrective action (“may,” not “will”).

[Erin arrives]

Reporting requirement

- Change “must report” to “strongly encouraged” to report.
- Eshana:
  - Should be exceptions for SASC.
  - Should talk to HR, but not necessarily file a formal report.

Amnesty

- Should be one for people reporting who might otherwise be subject to penalties for substance use.

Summary

- Eshana:
  - Need a What You Need to Know summary of policy.

Interim Measures

- Shouldn't be punished socially.
- Eshana:
  - The measures should not draw attention to the parties.
- Ben:
  - Preserve privacy of all parties.
- Anisha:
  - Ensure everyone can use the support we provide or that we refer people to.
  - Can staff go to SVPRO?
- [People thought so.]

## Timeline and continuation of investigation

- Eshana:
  - 45 days is too long: should be faster for staff.
  - If the person who makes the complaint does not participate, why continue the investigation?
- Anisha:
  - Could be triggering for them.
  - They don't want to take part anymore, but they still want it to continue.

## Decision-Makers

- Kathleen:
  - Too many people.
- Eshana:
  - Remove the President and the Equity position.
  - Can include senior managers for student complaints: all senior managers should be equipped to deal with students.
  - We decided on Chair of HR Committee for PC1.
- Kathleen:
  - Student staff untrained.
- Anisha:
  - VP Admin, Senior Student Services Manager, HR staff on panel.
- Lawrence:
  - President or their designate.
- Eshana:
  - We left the President off the PC1 panel so they could be the Review person (Alternate Decision-Maker).
- Erin:
  - Three is too little. Should be five.
- Eshana:
  - Don't want too many permanent staff on the panel.
  - And if it's sensitive, want fewer people.
- Panel for students will be:
  - VP Administration, Senior Student Services Manager, Chair of HR Committee.
- For staff:
  - Managing Director (same as PC1).

## Training

- Anisha:
  - Will there be training?
- Eshana:
  - They will definitely be trained.

Refund if expelled from a club?

- Draft says they could get a refund.
- Consensus was those expelled for sexualized violence should not get a refund.
- Also should be changed in PC1 (if expelled for violating that policy).

Review:

- Alternate Decision-Maker doing the Review should be:
  - President and Managing Director for students.
  - Executive Committee for staff.

Next Steps:

- Once approved by Executive, to Council.

MOVED LAWRENCE, SECONDED ESHANA:

“That the Executive Committee recommend that Council approve the new PC1 policy.”

... Carried

MOVED ESHANA, SECONDED ERIN:

“That the Executive Committee recommend that Council approve the new PC2 policy.”

... Carried

## **Adjournment**

The meeting was adjourned at 5:50 pm.