



QUFA VOICES

Your Queen's University Faculty Association Newsletter

November 2016

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PRESIDENT'S VOICE

Policy on Sexual Violence Involving Queen's Students

QUFA Members have various responsibilities with respect to Queen's new policy on sexual violence involving students

**By Lynne Hanson
President, QUFA**

A few weeks ago, Queen's University released a final draft of their Policy on Sexual Violence Involving Queen's Students.¹ This new policy is in response to the Ontario government legislation requiring educational institutions to have both a policy and procedure in place.

In an effort to step up their campaign against sexual violence and harassment, Ontario introduced new workplace harassment legislation earlier this year; Bill 132 sets out a process to deal with workplace harassment, requiring the development of a workplace harassment program, including reporting procedures, disclosure requirements, communication of results, and annual review of the harassment program.² While this seems to duplicate much of Bill 168, it now requires employers to take more proactive steps actually to prevent harassment and is intended to fill some of the gaps.

QUFA IMAGES

KDLC Oliver Doyle Banquet



Lynne Hanson

QUFA Member Christo Aviles was a keynote speaker at this past month's Oliver Doyle Banquet, sponsored by the Kingston and District Labour Congress.

On 29 October 2016, I attended OCUFA's Board of Directors meeting in Toronto, and there was a presentation and discussion on these new sexual abuse policies now required by the Ontario government. Legal advisors explained how a policy might affect our Members, and one of the key points made was that an obligation to report may arise when a student discloses possible sexual

violence.

In such circumstances, QUFA Members might become a "witness," (for example, where a student discloses abuse to a faculty member), and it is important that our Members know that they have certain responsibilities in these situations.

Where a disclosure is made to a member of the Queen's community, section 8.3 of the Queen's policy requires that that member *must* refer the person who made the disclosure to the Queen's Sexual Violence Policy and provide him or her with information about services that are available through the Sexual Violence Prevention and Response Coordinator's office. Barbara Lotan is our Sexual Violence Prevention and Response Coordinator, and she can be reached via telephone at 613.533.6330, via e-mail at bjl@queensu.ca, or at her office in Room B502, Mackintosh-Corry Hall (in the Human Rights Office).

QUFA Members may also be respondents where a student alleges that he or she has been sexually harassed or assaulted by that Member. The thresholds in the Queen's policy are relatively low and to some extent premised on the subjective perception of the victim, since sexual harassment is defined as a course of *unwanted* remarks, behaviours, or communication that are either sexually oriented or about gender. (By contrast, the Ontario legislation defines sexual harassment as *vexatious* comments or conduct.)

Similarly, the definition of sexual assault in the Queen's policy is also quite broad, encompassing *any* form of sexual contact without consent, including unwanted kissing or touching. Finally, the policy indicates that consent is not valid where it is

obtained via an abuse of power or authority; this means that any sexual contact between a student and a member of the Queen's community may be a sexual assault, even where there is consent on both sides, if there is a power imbalance between the two parties.

Where our Members are respondents to complaints of sexual abuse, OCUFA's legal counsel noted the importance of various procedural protections in such circumstances: we need to ensure confidentiality, notice of complaints, and access to timely and impartial investigations. They also noted that both the investigation and potential discipline should be commensurate with the severity of the conduct.

We at QUFA are very aware of the important role that we have in this process, in helping to promulgate the policy, in educating our Members as to their roles and responsibilities, and in providing them with representation as potential respondents .

If you have questions or concerns, please feel free to contact me or a member of QUFA staff.

ANNOUNCEMENT QUFA Fall General Meeting

Join us at QUFA's Fall General Meeting, which will take place at the following date, time, and location:

**Wednesday 14 December 2016
1.15 p.m. – 3.00 p.m.
The Auditorium, Ellis Hall**

The Notice of Meeting will be sent out by e-mail on 30 November 2016, and the full agenda package will follow on 7 December 2016.

All QUFA Members are welcome to attend.

Notes

¹<http://www.queensu.ca/secretariat/sites/webpublish.queensu.ca.uslclwww/files/files/policies/2016-11-10-Policy%20on%20SexualViolenceInvolvingQueensUniversityStudents.pdf>

²http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=3535&detailPage=bills_detail_the_bill

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QUFA Voices publishes QUFA-related news and information for QUFA Members and provides QUFA Members with a forum to express their QUFA-related ideas and opinions. We want to hear from you! Please send your QUFA-related story ideas, news items, opinion pieces, letters to the editor, photographs, and other submissions to the editor.

QUFA Voices is edited by Robert G. May. He can be reached at mayr@queensu.ca.

QUFA OPINIONS

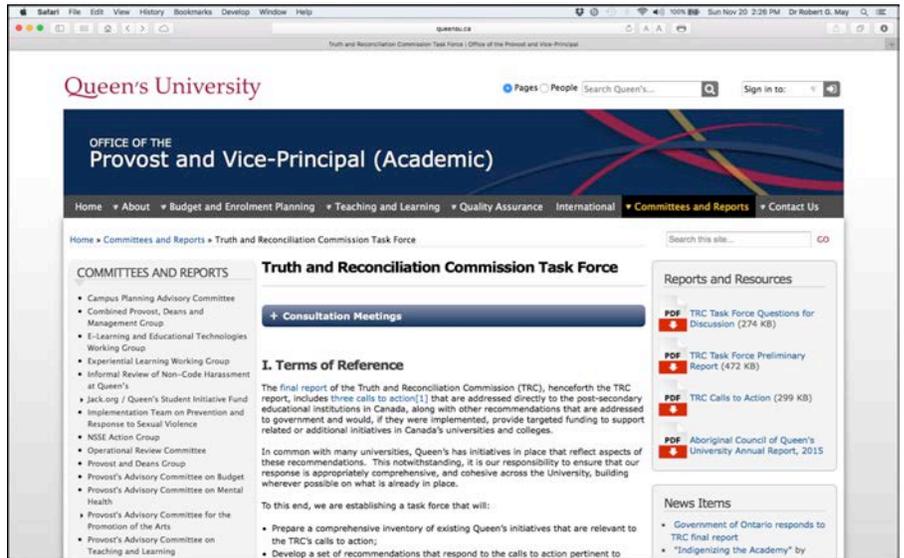
A Response to Queen's "Truth and Reconciliation Task Force"

Queen's establishment of a Truth and Reconciliation Commission Task Force is a step in the right direction, but there is a lot more that needs to be done

By Armand Garnet Ruffo
Queen's National Scholar in Indigenous Literatures

In speaking of reconciliation between Indigenous and non-Indigenous Canadians in the broadest sense, Senator Murray Sinclair, Chair of the Truth and Reconciliation Commission, puts the onus squarely on the shoulders of both the federal government *and* the education system to make significant and lasting change. Senator Sinclair comes to this conclusion because, as he notes, it was the educational system—for Indigenous peoples the Residential School System—that systematically sought to strip Indigenous children of their language and culture while telling them repeatedly that they were inferior to Euro-Canadians, and it was the Canadian school system that taught Euro-Canadian children that they were superior. It goes without saying that the Church and State's two-pronged approach was effective in indoctrinating some seven generations of Canadians—be they Indigenous or non-Indigenous—and it is little wonder then that collectively, as a country, we are struggling.

As one of Canada's oldest degree-granting institutions, Queen's University is proud to say it "has influenced Canadian higher education since 1841," and therefore it is only fitting that it lead the way in making change. The establishment of the Queen's Task Force with its goal to determine objectives and make recommendations that will advance



Queen's University

Queen's University has established a Truth and Reconciliation Commission Task Force, but according to Armand Garnet Ruffo, Queen's National Scholar in Indigenous Literatures, it represents but the first step of a larger process that must take place at Queen's.

"the reconciliation agenda" should be applauded at least at this stage of the process. What concrete action actually results from the final report is yet to be seen. As the old adage goes, "the proof is in the pudding" (or should I say "in the bannock").

Something that Senator Sinclair has said might give us pause to think of ways to move forward in considering the Commission's ninety-four recommendations, or we risk becoming stymied and ultimately paralyzed. I say this in reflecting upon its predecessor, the report of the Royal Commission on Aboriginal Peoples, which was mandated in 1991, and now sits gathering dust. If there is to be a positive outcome to any of this, I suspect it will depend upon the goodwill of individual Canadians and institutions—doing it on their own with little, if any, governmental support, just as the children in the most infamous residential schools received little, if any, intervention. Governments come and go, priorities change. It is a hard truth, but a truth all the same.

In this regard, Senator Sinclair makes

an important and straightforward observation: "We cannot look for quick and easy solutions because there are none." If real reconciliation is to occur, then Canadians have to be prepared to go down a long, hard road. To my mind, Queen's has already begun the process of going down this road by taking a number of small but significant steps that demonstrate goodwill, such as acknowledging that the university sits on traditional Anishinaabe and

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Haudenosaunee lands, by supporting a vibrant Indigenous student centre, by naming the new student residence after Dr Marlene Brant Castellano and Dr Clare Clifton Brant, and, most recently, by naming library study spaces after Indigenous teachings.

This is a beginning; there is more to do. How about a medical building named after Dr Peter Jones, the nineteenth-century Ojibway doctor and graduate of Queen's? How about more Indigenous faculty in a variety of disciplines? How about a School of Indigenous Studies? How about a building that reflects Indigenous values and customs? At the least, Queen's should act upon one of the Commission's recommendations aimed specifically at post-secondary institutions: "We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages." Currently, Queen's offers Mohawk and Inuktitut, and it goes without saying that Anishinaabemowin needs to be offered, especially seeing that Queen's already acknowledges that it sits upon Anishinaabe land.

Some of these steps will be undoubtedly more costly than others, and the university will certainly have some tough decisions to make, and yet they are decisions that have to be made. We have all heard the statistics: that Indigenous peoples are the fastest growing population in the

country, that young Indigenous people are more likely to end up in jail than graduate from high school, that the Indigenous incarceration rate is ten times higher than that of the non-Indigenous population, that there are now more Indigenous children in social services than at the height of the residential school system, that Indigenous people are disproportionately ranked the poorest among Canadians. The stats go on.

Clearly, as a country, governments and institutions cannot afford *not* to make tough decisions. And yet there are other facts: when the European explorers first set foot upon Great Turtle Island, it was the Indigenous peoples who led them across the continent; when settlers began arriving to build their homes, many of them fleeing persecution, it was the Indigenous peoples who taught them how to survive in a land they perceived as new and formidable; and when the Americans invaded in 1812, it was the Indigenous peoples who came to the rescue. It is ironic that in the course of a few hundred years these facts of our collective history have been conveniently ignored in the push to assimilate Indigenous peoples into an idea of Canada that was never part of the bargain. At what point did we become a dependent rather than a partner?

People need to see themselves reflected in a country before they can feel part of it, and it goes without saying that everything in this country has been claimed and renamed to honour the people we once paddled and the places from where they originated. That said, there is no better place than a renowned institution like Queen's University—which got its charter from the same Queen Victoria who made treaties with Indigenous peoples—to figure out where Canada went wrong, and begin to make it right.

Armand Garnet Ruffo can be reached at armand.ruffo@queensu.ca.

ANNOUNCEMENT QUFA is Your Association: Get to Know Us, Get Involved

The Queen's University Faculty Association (QUFA) is a collection of your faculty, librarian, and archivist colleagues who have dedicated time to making sure the Association hears and responds to the concerns of Members. That job is easiest when Members like you are actively engaged with the Association.

QUFA Council: This body meets once per month for two hours or less to discuss matters raised by Council Representatives and to review the work of the Association. Council representation is broadly by unit, with some small units combined. If your unit doesn't have a representative,¹ please contact QUFA Executive Director Leslie Jermyn (jermynl@queensu.ca) to find out more about how to get one. If you have a representative, reach out to let him or her know you're interested to know more about the work of the Association.

Unit Visits: If your unit would benefit from a dedicated meeting with QUFA leadership to discuss matters of specific concern to you, please contact Leslie Jermyn to set one up.

Get Involved: QUFA has a number of active committees,² many of which would welcome new members. If you would like to get involved, drop Leslie a line.

Notes

¹See "Council of Representatives" on the QUFA Web site: <http://www.qufa.ca/about/contacts-and-organization/>

²See the tabs on the "Contact" page of the QUFA Web site: <http://www.qufa.ca>.

QUFA VOICES Voice Your Views!

If you have an opinion about anything you read in QUFA Voices, send us a letter to the editor!

mayr@queensu.ca



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GRIEVANCE CORNER Check Out QUFA's Grievance Web Site

QUFA's Grievance Web site contains a wealth of information for the use of QUFA Members

By **Ramneek Pooni**
Grievance Officer, QUFA

I have been so busy with arbitration preparations and hearings this summer and autumn that I've not had the opportunity to write a substantial "Grievance Corner" for this issue of *QUFA Voices*.

So, I decided it would be a good time to remind you about resources that are already on QUFA's Grievance Web site:

www.qufa.ca/member-services/main/grievances/

The box labelled "Forms and Information" contains links to materials and resources that all QUFA Members should apprise themselves of if they are experiencing a conflict and/or are thinking about contacting

QUFA with a complaint. There is also contact information for the Queen's-QUFA Conflict Resolution Service, information about what the grievance process looks like, overview information on arbitrations, and protocols on how some situations are handled.

The box labelled "Grievance Corner from *QUFA Voices*" contains back issues of this column, dating back to September 2011. Click the plus sign (+) to see the complete list of "Grievance Corner" columns. Scan the titles to locate a past "Grievance Corner," or just to see the variety of topics we have covered in the "Grievance Corner."

I keep an ongoing list of potential "Grievance Corner" topics and have explored Member-supplied ideas in the past, so please do not hesitate to contact me with your thoughts.

I look forward to hearing from you!

Ramneek Pooni can be reached at
poonir@queensu.ca.

ON THE WEB QUFA Online

QUFA Members can interact online with QUFA in many different ways!

QUFA's online resources contain a wealth of information about your faculty association, including upcoming events, information about the Collective Agreement, news items of interest, and more!

1. QUFA Web Site



www.qufa.ca

2. QUFA on Facebook



www.facebook.com/qufapage

3. QUFA on Twitter



www.twitter.com/qufatweet



QUFA Members are encouraged to visit QUFA's Grievance Web site, at www.qufa.ca/member-services/main/grievances/, where they will find a wealth of information about grievances, including contact information, protocols, and processes.