

## I. Policy brief and purpose

A. This Policy will explain how members can voice complaints in a safe and confidential manner

B. The Policy allows member pathways for recourse should an issue arise.

## II. Scope

A. This policy pertains to member of the organizations [LVDSA] regardless of position or status.

## III. Grievance definition

A. Grievances may come in the form of a complaint, problem, or concern that a member may raise with the organization or its members. This includes but is not limited to:

1. Harassment (verbal, physical and sexual)
2. Health and safety (accessibility concerns)
3. Concerns regarding LVDSA chairmen

## IV. To file a grievance

A. Contact grievance officer directly via face-to-face or phone

B. Submit grievance and writing to grievance officer via face-to-face or via email.

## V. Grievance resolution

A. Member to member incident

1. Each member receives a copy of the grievance
2. Formal mediation can occur if both parties agree.
3. The results are documented
  - a. Changes to charter may be voted on to accommodate outcome

B. Member to chair incident.

1. Member is put in direct contact with national DSA grievance officer for further instruction: [nationalgrievanceofficer@dsausa.org](mailto:nationalgrievanceofficer@dsausa.org). Please refer to the National Chapter Grievance Procedure for further instruction.

## VI. National Chapter Grievance Procedure

A. Harassment Policy (Resolution 33) Democratic Socialists of America's Harassment Policy was passed at the August 2017 DSA Convention. If you have questions or concerns about grievance matters, please contact our National Grievance and Harassment Officer, Paula Brantner, at [nationalgrievanceofficer@dsausa.org](mailto:nationalgrievanceofficer@dsausa.org). Democratic Socialists of America is committed to creating a space that is welcoming and inclusive to members of all genders, races, and classes. The following policy provides guidelines to ensure that everyone is able to organize without fear of harassment, abuse, or harm.

### 1. Scope

- a. Prohibited behavior. Members shall not engage in harassment on the basis of sex, gender, gender identity or expression, sexual orientation, physical appearance, disability, race, color, religion, national origin, class, age, or profession. Harassing or abusive behavior, such as unwelcome attention, inappropriate or offensive

DEMOCRATIC SOCIALIST OF AMERICA LAS VEGAS CHAPTER  
GRIEVANCE PROCEDURES

remarks, slurs, or jokes, physical or verbal intimidation, stalking, inappropriate physical contact or proximity, and other verbal and physical conduct constitute harassment when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of a member's continued affiliation with DSA;
  - ii. Submission or rejection of such conduct by an individual is used as the basis for organizational decisions affecting such individual; or
  - iii. Such conduct has the purpose or effect of creating a hostile environment interfering with an individual's capacity to organize within DSA.
- b. Other protected classes. Harassment based on categories not encompassed by those listed section (a) will be evaluated at the discretion of the HGO and Steering Committee representatives.

## 2. Reporting Harassment

- a. Complaints. Members may follow the standard DSA complaint process as set out in the following sections if they believe they have been harassed by another member. There will be no time limits requiring the accuser to file a report within any amount of time after the alleged harassment has occurred.
- b. Harassment Grievance Officers. Members filing a formal complaint must contact a DSA harassment grievance officer ("HGO").
  - i. Each DSA chapter with over one hundred members will:
    1. Vet and appoint at least two members to serve as the designated HGO(s)
    2. Determine term limits for HGO(s) and develop methods for removing HGO(s) for cause.
    3. Chapters with one hundred or fewer members will direct all grievance complaints through the national HGO.
  - ii. DSA National will:
    1. Vet and appoint at least one staff member to serve as the designated national HGO
    2. Determine appropriate training requirements for HGOs
    3. Determine term limits for HGO(s) and develop methods for removing HGO(s) for cause.
  - iii. Each DSA chapter with over one hundred members and DSA National will:
    1. Establish an email address to function as a confidential reporting "hotline" that is only accessible by the HGO(s);
    2. Develop template forms both for reporting and responding to accusations of harassment that include:
      - a. The parties' contact information
      - b. The names of the parties involved
      - c. A description of reported incident
    3. Develop template forms for appealing the form of relief determined by Steering Committee that include:
      - a. The grounds of the appeal

iv. Each DSA chapter and DSA National will have these structures in place no later than July 1, 2018.

C. Reporting procedure and timeline

i. After a written report has been submitted—whether through the email hotline or otherwise:

1. The HGO(s) responsible for the reporting channel used by the accuser will contact the accused member within seven days to notify them that a report has been filed against them and request a written response to the report either affirming or denying its substance;

2. The accused will submit their written response within seven days of being notified. If the accused does not meet this deadline, the HGO will recommend the Steering Committee move to take appropriate disciplinary action;

3. If the accused denies the substance of the report, the HGO overseeing the dispute will have the option to investigate the report by:

a. interviewing other members with direct knowledge of the substance of thereport;

b. requesting documentation from either the accuser or accused or any other partiesdirectlyinvolved;or

c. employing any and all other means deemed necessary, with the utmost respect for the confidentiality of the parties, within a time period not to exceed ten days.

ii. The HGO(s) responsible for adjudicating the dispute will determine whether the report is credible and, if necessary, make a recommendation to Steering Committee of appropriate disciplinary action as soon as practicable, but ultimately within thirty days of the report being filed. This is to ensure the timely, efficient, accurate, and discreet adjudication of all reports. The HGO(s) may notify Steering of the accuser’s report and its substance at any time after the report is filed, but must give written notice to both the accuser and the accused member before doing so.

d. HGO responsibilities. The HGO(s) will:

i. Receive, acknowledge receipt of, and archive accuser reports

ii. Contact the accused to notify them of the accusations, request their written response, and archive any written response;

iii. Conduct any necessary investigation of the claim; and

iv. Present their findings to the Steering Committee with a written report and, if necessary, a recommendation for disciplinary action.

v. If necessary, HGO(s) may recommend that parties do not contact each other for the duration of the investigative process.

vi. Compile a yearly report that details:

1. How many reports were made

2. How many were taken to the disciplinary process

3. How many disciplinary actions were taken

4. Any recommended changes for making the reporting system more effective

5. This report will not include personally identifying information of any parties in any dispute. The local HGO(s) will send the yearly report to the national HGO(s) no later than January 1 of the new year.

#### D. Remedies and penalties

##### Determinations

1. All reports will be assessed on a case-by-case basis by the HGO(s) and Steering Committee associated with the accuser's reporting channel. The ultimate disposition of each report will be made by the chapter's Steering Committee or, in the case of DSA National, the NPC, after that body reviews the written report and recommendation of the HGO(s).
  2. Standard for Determining if a Report is Credible
    - i. The chapter's Steering Committee or, in the case of DSA National, the NPC will find the factual allegation in a report is "credible" if it more-likely-than-not occurred.
    - ii. If a chapter's Steering Committee or, in the case of DSA National, the NPC finds the report to be credible, they are authorized to carry out the following remedies and penalties:
      - ii. A formal discussion between the accused and the Steering Committee to develop a plan to change the harassing behavior(s);
        1. Suspension from committee meetings and other chapter or organizational events;
        2. Removal from chapter committee(s);
        3. Removal from DSA; and
        4. Any and all other relief deemed necessary and just by the chapter or national leadership.
          1. If a local chapter has established suspension or expulsion procedures, Steering Committee is authorized to enforce these remedies and penalties in accordance with those procedures.
          2. If the local chapter does not have established suspension or expulsion procedures, they will adopt the procedures outlined in Article III, Section 4 of the DSA Constitution and Article I, Section 3 of DSA bylaws.
          3. The NPC majority required in these procedures will instead by a Steering Committee majority
          4. Local chapters that lack these procedures shall have suspension and expulsion procedures in place by July 1, 2018.

DEMOCRATIC SOCIALIST OF AMERICA LAS VEGAS CHAPTER  
GRIEVANCE PROCEDURES

- iii. DSA national is authorized to enforce certain remedies and penalties in accordance with Article III, Section 4 of the DSA Constitution and Article I, Section 3 of DSA Bylaws
- iv. Removal from DSA; and
- v. Any and all other relief deemed necessary and just by the chapter or national leadership.
- vi. The appropriate form of relief will be determined by, among other things:
  1. The request of the accuser;
  2. The severity of the offense;
  3. The response of the accused; and
  4. The accused's relevant behavioral histories.

E. Appeals process. Either party may appeal the form of relief determined by Steering Committee by filling out appellate form created by the accuser's reporting channel. Appeals must be filed within thirty days of receiving written notice of the Steering Committee's decision. The limited grounds for appeal are:

1. Either party believes the behavior was not interpreted using the standards for harassment set out in Section 1a;
2. Procedural errors, misconduct, or conflicts of interest affected the fairness of the outcome; and
3. The remedy or penalty determined by Steering was grossly disproportionate to the violation committed

F. Retaliation. This policy prohibits retaliation against any member for bringing a complaint of harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliatory behaviors includes threats, intimidation, reprisals, and/or adverse actions related to organizing. If any party to the complaint believes there has been retaliation, they may inform the HGO who will determine whether to factor the retaliation into the original complaint, or treat it as an individual incident.

1. "Unwelcome" means in the sense that the member did not solicit or incite it, and in the sense that the member regarded the conduct as undesirable or offensive. *See Henson v. City of Dundee*, 682 F.2d 897, 903 (11th Cir. 1982).
2. A "hostile environment" is one in which the harassment is sufficiently severe or pervasive as to alter the conditions of membership and create an abusive organizing environment. *See Meritor Sav. Bank, FSB v. Vinson*, 477 U.S. 57, 67 (1986). Whether harassment is severe enough to reach this level is determined by whether a reasonable person would be offended by the conduct. *See id.* at 77. Further, in evaluating the severity and pervasiveness of harassment under this standard, DSA representatives should focus on the perspective of the victim. *See Ellison v. Brady*, 924 F.2d 872, 878 (9th Cir. 1991). This means critically analyzing, among other things, the different perspectives of those in a protected class. *See id.*

DEMOCRATIC SOCIALIST OF AMERICA LAS VEGAS CHAPTER  
GRIEVANCE PROCEDURES