



## Policy Grievance

**Grievor's Name:**  
Windsor University Faculty Association

**FILE:** GR# 0908

**C.A. Referenced:** 2017-2021

**Type of Grievance**  
POLICY & GROUP

**1. Nature of Dispute**

The University has failed to provide a safe and free from harassment workplace for its employees generally and for the group of employees hereby listed as all members in the Department of Political Science who have been and/or maybe affected by the facts and allegation set out herein.

**2. Reference**

WUFA Collective Agreement (2017-21) Article 11, and any other articles that may apply. Also, the following: University of Windsor Behavioural Intervention Plan, Involuntary Withdrawal Policy, and Student Code of Conduct Policy.

**3. Facts of the Case**

Starting in the Winter 2018 semester and continuing through Summer 2018, Fall 2018, and Winter 2019 semesters the University of Windsor failed to adequately address the multiple concerns of Political Science faculty members. These members have been increasingly worried about and unable to deal with a student with an undisclosed serious mental illness but who, to the University's knowledge, had demonstrated numerous, serious episodes of misconduct directly and indirectly impacting upon faculty members and others. Secret behavioral agreements were allegedly put in place, but there was no concerted nor transparent effort to properly or at all to communicate to all affected faculty members what actions were taken to guarantee their safety and freedom from harassment. The student was temporarily involuntarily withdrawn from her studies in May of 2019 but, following her appeal in June 2019, the University decided to early re-enroll the student in the Fall 2019 semester. This decision was reached without any consultation with the concerned faculty members. In fact, the appeal proceedings did not follow the

stipulated rules. The concerned faculty members were not informed the appeal was taking place nor they were called to testify in order to express their ongoing concerns.

#### **4. Remedy Sought**

- (1) A declaration that the University has failed to provide a workplace that is safe and free from harassment for members of the bargaining unit in general, and the affected or potentially affected members in the Department of Political Science, in particular.
- (2) With respect to members in the Department of Political Science, the University shall immediately put into place all necessary and adequate measures to guarantee a safe and free from harassment workplace, including but not necessarily limited to:
  - a. the preparation of a Behavioral Agreement in consultation with the concerned faculty members the content of which shall be clearly communicated to all affected faculty members; said Agreement shall contain clear steps to be taken to ensure compliance by the student.
  - b. compliance by the University with the terms of its Involuntary Withdrawal Policy, requiring the withdrawal of the student for the minimum period stipulated in Appendix E 5.2 of the Policy.
  - c. Such further and other remedies or security measures necessary or considered reasonable to address the interests of the members in the Department or others who might be affected by the demonstrated and likely adverse behaviour of the student in question, during any such time as she is enrolled and/or attending in her capacity as a student.
- (3) Such further and other remedies, including the appropriate declaratory relief and mandatory orders, in order to ensure a safe and harassment free workplace for the affected members in particular and the bargaining unit as a whole, and/or as deemed appropriate by the arbitrator, in the circumstances of the case.

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### **Progress**

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|---------------|---|
| <b>Step 1</b> | n/a   |
| <b>Step 2</b> | n/a   |
| <b>Step 3</b> | Delivered to Ms. D. Beaulieu, Executive Director, Academic & Staff Labour and Employee Relations, on June 27, 2019. |

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Signature of WUFA President

June 27, 2019

Date

c.c. Faculty Association