

POLICY

PURPOSE

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. The goal of the grievance process is to seek resolution, including accountability and de-escalation, in cases of code-of-conduct complaints that cannot be resolved directly between the parties involved. In cases of harassment, the policy will follow the recommended process in Resolution 33 passed by the 2017 DSA National Convention, including when relevant the process for expulsion outlined in the Portland DSA Bylaws in Article III, Section 2.

SCOPE

The policy shall be available to any member in good standing of the Portland chapter of the Democratic Socialists of America who wishes to file a grievance against any other member in good standing of the Portland chapter of the Democratic Socialists of America.

Resolution 33 defines the following scope of harassment behavior that must be referred to Harassment Grievance Officers for consideration:

- 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 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. Any harassment based on categories not encompassed by those listed in section (a) but having causing a member to no longer be comfortable participating in the chapter will be evaluated by the [Grievance] Committee."

The Portland DSA Grievance Committee (GC) shall adopt this scope. The additional work of determining if behavior constitutes harassment or abuse under the scope outlined above will also be a part of its responsibilities.

In cases that are not deemed to fall under the scope outlined above, the GC may suggest

actions to promote de-escalation, restorative accountability and conflict resolution, or require actions to those ends, at its discretion.

The GC is authorized to adopt procedures required to put this accountability and conflict resolution process into action, consistent with the purpose of the policy and to maintain and adapt the process going forward. The GC may adopt and change its internal procedures as needed to carry out the policy. Significant changes to the process that effectively change the policy itself must be brought to the Steering Committee (SC) and subsequently approved by a chapter-wide vote.

If the GC feels it necessary to make urgent changes to ensure a fair and supportive process, they may present their suggestions to the SC per the chapter Bylaws Section 2 a.

STRUCTURE

1. The Grievance Committee will consist of 5 Grievance Officers (GOs):
 - a. Three members in good standing of Portland DSA vetted and appointed by the SC for a 1 year term and
 - b. Two members in good standing of Portland DSA elected by the Portland DSA general membership body for a 1 year term.
 - c. The GOs appointed by the SC shall serve as the Harassment Grievance Officers required under Resolution 33.
 - d. If a seat is vacated mid-term, the same appointing or electing body shall appoint or elect a new GO to fill the remainder of the term within 60 days.
 - e. The makeup of the GC should reflect diversity.
 - f. GOs shall receive training in responding to grievances about sexual violence, pending chapter funding, or via resources provided by National DSA to carry out Resolution 33 effectively.
 - g. Names of all 5 GOs shall be available to any Portland DSA member in good standing on request.
 - h. The GC will meet at a frequency of its choosing. Timelines for responding to grievances are defined under Procedures.
2. Recalling Grievance Officers:
 - a. Grounds for recall are nonfeasance and malfeasance.
 - b. A formal grievance against a GO must be filed through different GO who shall notify the full GC.
 - c. Upon notice the respondent GO is recused from the process and will participate only as any other respondent would.
 - d. The GC shall conduct any fact-finding necessary and submit a report to the SC.
 - e. The SC and the GC shall make a final decision on recall by a simple majority vote of the combined bodies.
 - f. Recall does not prohibit the respondent from participating in Portland DSA in any other capacity than as a GO for the remainder of their term.

RESPONSIBILITIES

1. The GC shall ensure that information about the Grievance Policy, procedures under it, and how members may initiate a grievance process are widely available on chapter media, and that a chapter-wide notice about how to reach the GC is circulated at least quarterly.
2. The GC shall internally assign its responsibilities to meet all expectations outlined in this policy. The GC may make limited modifications to the response timelines set forth below to take account of special circumstances in the interest of fairness and member trust in the process.
3. The GOs are required to keep all personally identifying information about grievances and ongoing accountability processes confidential and restricted to those who are directly involved, as is the Steering Committee in cases that come before them. Complainants, respondents and witnesses are asked to do the same.
4. The GC will keep records of each grievance and of evidence submitted or collected, and ensure that they are archived for consultation by future GCs and, where appropriate, SCs.

PROCEDURES

1. Grievance Process:
 - a. If a member of Portland DSA would like to file a grievance, they shall send an email through the designated channel, as posted on Portland DSA chapter media.
 - b. A GO shall respond within 7 days to advise the member (the complainant) on the Grievance Policy and the grievance filing process,
 - c. If the complainant decides to move forward with the grievance, they shall submit a detailed intake form provided by the GC, describing the facts as they see them. A copy of that form ("the complaint") shall be sent electronically to each member against whom the complaint is being filed (the respondent) within 7 days.
 - d. The respondent shall be given 7 days to file their response using a second intake form.
 - e. Upon receipt of the respondent's form, the GC shall conduct any additional fact finding, deliberate, and notify parties of a decision within 10 days.
 - f. The GC shall find the factual allegation in a complaint "credible" if it more-likely-than-not occurred.
 - g. When an incident rises to the level of harassment or abuse as defined under Resolution 33, the GC shall follow the procedure outlined in "2. Scope of remedial actions in cases of harassment under Resolution 33."
 - h. In cases involving a credible complaint not rising to the level of harassment or abuse, the GC shall follow the procedure outlined in "3. Scope of remedial actions outside of Resolution 33 offenses."
 - i. If the GC determines that a credible grievance forms part of a wider pattern of behavior by the respondent reflected in GC records, the GC may require action

from the respondent, or may recommend action by the SC, in addition to remedial actions specific to the immediate grievance.

2. Scope of remedial actions in cases of harassment under Resolution 33:
 - a. When an incident rises to the level of harassment or abuse as defined under Resolution 33, the GC may recommend the following to the SC:
 - i. A formal discussion between the accused and the Grievance Committee to develop a plan to change the harassing behavior(s);
 - ii. Suspension from committee meetings and other chapter or organizational events;
 - iii. Removal from chapter committees, working groups, caucuses or branches;
 - iv. Removal from Portland DSA; and any and all other relief deemed necessary and just.
 - b. If the SC decides to depart from the GC's recommendation, it shall provide a written explanation for that decision to the parties and to the GC, that shall be included in the record of the grievance.
3. Scope of remedial actions outside of Resolution 33 offenses:
 - a. When a credible complaint is found not to constitute harassment or abuse under Resolution 33, the GC may still work towards a resolution between the parties, by offering a resolution plan as its decision.
 - i. The resolution plan shall be determined by the GC.
 - ii. The complainant and respondent may both make suggestions about the resolution plan.
 - iii. The GC is not obliged to accept the complainant's or respondent's suggestions.
 - iv. The resolution plan may include any of the remedial measures in the scope specified for Resolution 33 cases at 2a above.
 - v. The resolution plan may include other forms of action or required behavior change.
 - vi. The resolution plan will be provided in writing, electronically, to all parties.
 - b. Once the GC specifies a resolution plan, a GO shall be assigned to monitor the fulfillment of the terms of the decision.
 - i. If the respondent fails to fulfill the terms, the GC shall determine a course of action to secure fulfillment up to and including recommendation to the SC to pursue removal from the chapter.
4. Appeals process in Resolution 33 cases:
 - a. Either party may appeal a Portland DSA decision to the National Harassment Grievance Committee.
 - b. Appeals must be filed within thirty days of receiving written notice of the SC's decision. The limited grounds for appeal are:

- i. Either party believes the behavior was not interpreted using the standards for harassment set out in Section 1a;
 - ii. Procedural errors, misconduct, or conflicts of interest affected the fairness of the outcome; and
 - iii. The remedy or penalty determined by the SC was grossly disproportionate to the violation committed.
5. Appeals process in other cases:
 - a. Either party may appeal a GC decision to the SC.
 - b. Appeals must be filed within thirty days of receiving written notice of the GC's final decision. The limited grounds for appeal are:
 - i. Either party believes the behavior was not interpreted using standards set forth in chapter documents;
 - ii. Procedural errors, misconduct, or conflicts of interest affected the fairness of the outcome; and
 - iii. The remedy, restorative accountability action, or sanction determined by the GC was significantly disproportionate to the violation committed.

RETALIATION

This policy prohibits retaliation against any member for bringing a complaint, including specifically a complaint of harassment, pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint, including specifically a complaint of harassment, or participates in any manner in an investigation or resolution of a complaint, including specifically a complaint of discrimination or harassment. Retaliatory behavior 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 GO for the complaint, who will determine whether to factor the retaliation into the original complaint, or treat it as an distinct incident.

NATIONAL REPORT

Once a year the GC shall compile the yearly report to the National GC as specified in Resolution 33: “[a] yearly report that details:

1. How many reports of harassment were made;
2. How many were taken to the Resolution 33 disciplinary process;
3. How many disciplinary actions were taken;
4. Any recommended changes for making the reporting system more effective.

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.”

REVIEW OF THE GRIEVANCE POLICY

Once a year the GC shall review the policy and make any recommendations for changes to the SC, to be voted on by the chapter membership.

LIMITATIONS

While our coalition partners are not beholden to Portland DSA's Grievance Policy, we will take seriously any behavior by a coalition partner that falls under its scope and shall seek to facilitate a process that results in accountability. Similarly, while non-DSA members are unable to file a formal grievance under this policy, the chapter understands that an event or action undertaken by a DSA member towards a non-DSA member may strongly affect our members and the work of the chapter. Those situations, when brought to the GC's attention, will be discussed by the GC on a case-by-case basis, and may result in an internal complaint being brought.