



## **Minnesota Society of Arboriculture Harassment Policy and Procedure**

*Adopted on 6/6/2019*

*Amended 11/14/2019*

The Minnesota Society of Arboriculture (MSA) is committed to taking prompt and effective steps intended to end harassment and bullying, prevent their recurrence and, as appropriate, remedy their effects. To that end, MSA is a zero-tolerance organization and members of the community or event attendees who are found to be engaging in these behaviors will be asked to leave any MSA sponsored events and may include but is not limited to having their membership revoked.

MSA encourages contacting local law enforcement if there is an immediate threat to individual safety.

Members experiencing, or witness to, harassment or bullying should contact one of the following with a description of the incident, location, and those involved:

- For immediate assistance:
  - Report to staff, or any MSA Executive Committee or Committee Chairpersons in person onsite of an event. Staff and MSA Committee have an identifying marker.
- To report an incident:
  - Describe to them in person onsite of an event
  - Or email addresses can be found at <http://msa-live.org/get-involved/committees>
  - Call or text **(651) 500-1045**
  - Or email **msa@msa-live.org**

Reports may be made anonymously however, anonymous reports may limit the investigation.

### **Examples of harassments include, but are not limited to:**

- slurs or derogatory remarks, including but not limited to racial, ethnic, religious, homophobic slurs
- threats
- inappropriate jokes, innuendos, name-calling, teasing, embarrassing practical jokes
- insulting gestures
- displaying offensive materials such as pin-ups, pornography, etc.
- use of electronic communications such as the internet and e-mail to harass
- actions that invade privacy
- spreading rumors that damage one's reputation
- refusing to work/volunteer with another
- condescending or patronizing behavior



- abuse of authority which undermines performance or threatens careers
- unwelcome touching, physical assault or sexual assault

There is no legal obligation for an individual to tell a harasser to stop. The fact that a person does not explicitly object to harassing behavior, or appears to be going along with it does not mean that the behavior is not harassing or that it has been consented to. Affirmative consent must be freely and affirmatively communicated by an informed individual to obtain consent.

MSA will also take action if anyone tries to retaliate against you because you have reported discrimination, harassment or violence in good faith.

### **Incident Reporting Protocol**

We rely on our Executive Committee, Committee Chairpersons, and our members to be the eyes and ears of MSA. Below are instructions to follow if you, yourself, encounter, witness, or learn of any harassment, bullying, or threatening speech at an MSA function.

1. Document details of the event: location, names or descriptions of attendees involved, and a brief description of the actions.
2. Notify any Executive Committee member, call or text **(651) 500-1045** or email **[msa@msa-live.org](mailto:msa@msa-live.org)** to notify MSA staff.
3. Do not attempt to approach or confront the perpetrator yourself. MSA staff onsite will work with the Executive Committee and or local authorities to address the perpetrator.
4. The Executive Committee may want to meet with you in person. Unless you are needed elsewhere, try to stay where you are until we can reach you.

### **Addressing a Report**

After receiving a documented report of prohibited conduct, the Executive Administrator will file the report and the MSA Executive Committee will notify the Past President who is charged with serving as the Ethics intermediary. The Past President will assess the report to determine how to respond to the report, including whether to respond to the report through an informal problem solving process or a formal investigation process and may result in the consultation with the International Society of Arboriculture or the formation of an Ethics Committee. In making this determination, the Past President may consider, among other factors: (1) the nature and severity of the reported conduct; (2) whether the conduct has been previously addressed with the alleged perpetrator; (3) free speech protections; (4) the potential for recurrence of the conduct; (5) the actual and potential impact of the conduct; (6) the potential impact of using investigative or problem-solving approaches to address the report; and (7) the preferences of the complainant.

The Past President will make every effort to address the report based on available information.



The Past President is charged with forming the Ethics Committee and delegating responsibilities. If the Past President is involved in the incident or is found to have a conflict of interest, an Ethics Committee will be formed by an Executive Committee member without incident involvement or conflict of interest.

All reports received will be documented and remain permanently on file. Currently, documentation of incidents will be housed in a protected file in the Executive Administrator's Google Drive > Ethics > Reported Harassment, which is only accessible to the Executive Administrator unless additional reports are filed. Once a harassment report is filed, the Executive Administrator will provide any relevant documentation to the Past President. Relevant information is defined as any documentation with corresponding named individuals related to any incident involvement.

MSA is committed to protecting the privacy of all individuals involved in the incident and resolution of under this policy to the greatest extent possible. MSA will maintain the privacy of records in accordance with applicable state and federal law. In accordance with legal requirements, MSA will make reasonable efforts to protect the privacy of individuals while also fulfilling the need to gather information to assess the report, take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects, and satisfy the due process rights of the parties.

MSA has an interest in protecting the integrity of its investigations, protecting the privacy of parties and witnesses, and protecting parties and witnesses from harassment, intimidation, or retaliation as a result of their participation in an investigation.