

NEGOTIATIONS between BOARD (Board of Trustees of Southern Illinois University) and UNION (the four IEA-affiliated locals at SIUC: Association of Civil Service Employees, Faculty Association, Graduate Assistants United, Non-Tenure Track Faculty Association)

Statement of the Union Bargaining Team
Interests and Concerns Regarding Sexual Harassment Policies and Procedures
January 12, 2009

The following items are intended to focus discussion during the conduct of interest-based bargaining over Sexual Harassment Policies and Procedures for Southern Illinois University and its Carbondale campus. This list is not necessarily exhaustive and the Union reserves the right to raise additional interests and concerns at a future date and as the discussions over policies and procedures evolve.

General Interests Concerning Policies and Procedures

1. Transparency, Accountability, and Uniformity in the application of policies and procedures
2. Viable system for protecting against sexual harassment
3. Respect and dignity for all involved
4. Fulfillment of our representation obligations to our respective bargaining units
5. Integrity of our collective bargaining agreements
6. Recognition of the union role

Interests Concerning Policies

1. **Definitions of sexual harassment** that comply with the law so that the policy effectively addresses sexual harassment
2. **Reporting requirements** that clarify what should be reported, to whom it should be reported, and how it should be reported (including reporting requirements that do not compromise the viability of informal processes)
3. Appropriate disposition of cases dealing with **consensual relationships**
4. Protection of **academic freedom** and **1st Amendment rights** (as affected by the definition of violations regarding explicit materials)
5. Prevention of **retaliation, conflicts of interest**, and other obstacles to the fair adjudication of cases
6. Prevention of **false complaints and intentional misuse** of the policy
7. **Conformity** to Collective Bargaining Agreements

Interests Concerning Procedures

1. **Notification** to the relevant unions and the integration of **union representation rights** from the beginning of the processing of sexual harassment complaints
2. Detailed procedures for **informal resolution** of sexual harassment complaints
3. The **status and disposition of filings and reports** concerning informal and formal cases
4. **Terminology** not leading or prejudicial
5. **Oversight** over the Office of the Associate Vice Chancellor for Compliance and assigned staff, including investigators
6. Appropriate and adequate **training and education** of campus community
7. Standards for **waivers of timelines**
8. Complainants', respondents' and their union representatives' **rights of access to information**
9. Complainant and respondent **rights to appeal or take to arbitration**
10. Appropriateness of **review panel** and concerns about inclusion of represented groups on the panel
11. Appropriateness of **substantial compliance** section
12. **Conformity** to Collective Bargaining Agreements
 - Just cause and progressive discipline
 - Appropriate employer disciplinary actions
 - Suspensions
 - Timelines
 - Rights of complainants and respondents