

Policy Statement on Academic Freedom and Respectful Workplace Policies

When institutions elevate politeness to a regulative principle of academic life — codified in respectful workplace policies, enforceable by discipline, and justified by the subjective responses of complainants — they are posing a grave threat to academic freedom and free expression.

The public good is served when academic institutions are bastions of open inquiry and passionate debate. Academic freedom and free expression are fundamental to confronting entrenched power and systems of oppression, including, but not limited to, racism, sexism and homophobia. When censorship through respectful workplace policies becomes acceptable, dissident voices from marginalized populations are made even more vulnerable, hegemonic perspectives thrive, and society as a whole suffers.

Respectful workplace policies should not be implemented by post-secondary institutions and their terms should never be negotiated into collective agreements. In those institutions where respectful workplace policies are in place, they should be revoked. If revocation is not immediately possible, these policies should:

- acknowledge academic freedom and freedom of expression as central to the institution's mission, and as explicit values informing the policy's provisions;
- recognize the primacy of the collective agreement and the protections it provides;
- be limited to curtailing workplace harassment, discrimination and violence as defined by law; and,
- not impose obligations of respect and civility that go beyond legislative requirements.

Policies should also ensure the right to make full answer and defense to a complaint. In particular, they should provide:

- confidentiality that protects the privacy of the parties, but affirms the right to consult the academic staff association at all stages of the process;
- notice to the association of complaints, case developments and final outcomes;
- access to the collective agreement's discipline and grievance arbitration clauses in the event of punitive/disciplinary action; and,
- procedural fairness, including:
 - freedom from bias;
 - full and timely notice of a complaint;
 - identification of the complainant to the respondent;
 - the right to representation;
 - prohibition of anonymous materials;
 - access by the parties to evidence gathered during the process;

- a hearing in which such evidence can be presented and challenged; and,
- a decision with reasons.

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