

Code of Conduct

Adopted (as Amended): January 25, 2018

The following behavior is prohibited. Such behavior may be referred to the Harassment-Grievance Officers (HGOs) and subject to such restitution or penalties as might be applied by the Steering Committee on the recommendation of the HGOs.

1. 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.
 - a. Harassing or abusive behavior, such as unwelcome¹ 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.²
 - b. Sexual harassment includes the following behavior where it is expressly unwanted or unwelcome:
 - i. Sexual 'joking' or 'teasing'; use of sexually suggestive language or word choice; sexual flirtations or advances;
 - ii. Verbal or written sexual propositions; repeated requests for (denied) dates;
 - iii. Verbal or written comments about an individual's body, appearance, or sexual orientation; using sexually degrading words to describe someone; discussion about sexual desires, fantasies, or experience; nonverbal communications, including gawking, whistling, catcalling, etc.; inappropriate sexual or degrading gestures; inappropriate innuendos; sharing of sexually explicit or suggestive depictions;
 - iv. Physical or electronic contact;
 - v. Sexual contact without consent; coerced sex; drugging or pushing alcohol or drugs with intent to have sex;
 - c. Bullying, harassment, or intimidation includes the following behavior:
 - i. Abusive teasing and verbal or nonverbal intimidation;
 - ii. Unwarranted, excessive, and hostile verbal, written, or electronic communication;
 - iii. Consistently ignoring or interrupting another comrade;
 - iv. Personal attacks;
 - v. Spreading lies or malicious rumors, intentional public humiliation, and stalking;
 - vi. Interfering with a comrade's work;

¹ "Unwelcome" means in the sense that the member did not solicit or incite it, and in the sense that the member regarded the conduct as undesirable or offensive. See *Henson v. City of Dundee*, 682 F.2d 897, 903 (11th Cir. 1982).

² A "hostile environment" is one in which the harassment is sufficiently severe or pervasive as to alter the conditions of membership and create an abusive organizing environment. See *Meritor Sav. Bank, FSB v. Vinson*, 477 U.S. 57, 67 (1986). Whether harassment is severe enough to reach this level is determined by whether a reasonable person would be offended by the conduct. See *id.* at 77. Further, in evaluating the severity and pervasiveness of harassment under this standard, DSA representatives should focus on the perspective of the victim. See *Ellison v. Brady*, 924 F.2d 872, 878 (9th Cir. 1991). This means critically analyzing, among other things, the different perspectives of those in a protected class. See *id.*

- vii. Intentionally causing physical harm, or threatening to cause physical harm;
 - viii. Damaging personal belongings.
- 2. Members shall not use social media to engage in harassment, nor to represent the Local without the consent of its membership, nor to endanger the security of Local members.
 - a. Any behavior or communication that would be considered harassment, pursuant to section (1), is likewise not to be tolerated on social media in relation to the DSA;
 - b. Members may not expose the identifying personal information or details about any member without the consent of that member;
 - c. Members shall not represent themselves on social media as speaking on behalf of the Local unless that member is an elected officer, a member of the Steering Committee, or a media coordinator or spokesperson of the Local;
 - d. Members shall not engage with members of the media or media outlets as a representative of the DSA unless that member is an elected officer, a member of the Steering Committee, or a media coordinator or temporarily delegated spokesperson of the Local;
 - e. Members shall not engage in willful provocation of far-right or fascist organizations or their members through social media as a representative of the DSA.
- 3. Harassment based on categories not encompassed by those listed here will be evaluated at the discretion of the HGO and Steering Committee representatives.
- 4. Harassment or bullying shall NOT be understood to include publicly or privately expressing disagreement or dissatisfaction with the organization, its direction, its membership, or its leadership, or publicly or privately advocating for or expressing disagreement with any given political line, tactic, policy, or strategy, so long as the manner, tone, and nature of such discourse remains civil and respect is shown for members' personal boundaries and emotional well-being.
- 5. Those who have filed a grievance with an HGO ("the aggrieved") have these rights:
 - a. The aggrieved shall not be required to disclose the filing of a grievance to other members of DSA, nor officers of the DSA;
 - b. If the aggrieved are further harassed or otherwise retaliated against for the filing of a grievance, then the HGO may recommend, and the Steering Committee may apply, greater restitution or penalties against the member against whom the original grievance was filed.
- 6. Those accused of a grievance have the right to an unbiased process and clarification of any and all questions that do not otherwise conflict with any of the above points.