

Ombudsperson Policy

Last Updated October 13, 2023

The Council is the highest decision-making body for the policy and governance affairs of the MUS. The Council has full power, within the restrictions of the Constitution, to create, alter and/or terminate any policy statements, which are considered to be MUS policy, and to deal with any reports, recommendations and/or conclusions of any groups, committees and organizations which fall within the scope of the MUS.

1. Membership to Council

1.01

In accordance with subsection 5.02.01 of the MUS Constitution, the voting members of the Council shall be referred as the Board of Directors:

1. President of the Society;
2. Management Senator
3. Representatives to the SSMU – two (2) representatives, one (1) vote
4. First Year Representative – two (2) representatives , one (1) vote
5. Second Year Representative
6. Third Year Representative
7. Fourth Year Representative

1.02

In accordance with subsection 5.02.02 of the MUS Constitution, the non-voting members of the Council shall be:

1. Ombudsperson
2. Vice President of Academic Affairs
3. Vice President of Communications
4. Vice President of Competitions
5. Vice President of Corporate Relations
6. Vice President of Events
7. Vice President of Financial Affairs
8. Vice President of Internal Affairs
9. Vice President of Sustainability, Equity, Diversity and Inclusion (SEDI)

2.06

Ombudsperson: The duties of the Ombudsperson shall include the following, but shall not necessarily be limited herein:

1. Ensure the awareness and the respect of student rights as well as the advocacy of equity issues for the membership of the Management Undergraduate Society
2. The Ombudsperson shall be a(n):

- i. Advocate concerning equity issues
 - ii. Confidential resource person for students regarding their rights and responsibilities at McGill University
3. Represent or ensure representation for any active MUS member in approaching the Desautels Faculty of Management in individual matters.
4. Investigate and make a report based on a complaint or question from a MUS member regarding the Society, a violation for the constitution or a special mandate from the Council
5. Recommend a course of action to the Council or the Executive or any of the MUS's organizations where such action is necessitated.
6. Have the right to attend any meetings of Councils, Committees, and other bodies of the MUS, including meetings held in camera.
7. Act in an impartial and unbiased manner in the exercise of his/her duties.
8. Maintain confidentiality with respect to all matters brought to his/her attention.
9. All other duties as outlined in the Equity Policy.
10. Update and maintain the MUS blacklist, as explained in subsection 9 of the Ombudsperson policies.
11. Hire, train and direct the HR portfolio, as explained in the HR policies and hR handbook.
12. Help the Competitions portfolio or any other portfolio that should require it with selection of bursaries, will decide along with the VP Competitions.
13. In accordance with Section 8.03 of the Events Policies, the Ombudsperson, in accordance with Vice-President of Events, reserves the right to remove leadership/running for Captains of any MUS Drinking Event such as Carnival if there exist substantiated safety concerns (e.g. violation of any contracts with the MUS or another student association) that may jeopardize the well-being of other participants.
14. Carry out and have other such powers and responsibilities to better the MUS.

2. Ombudsperson Role

2.01

The purpose of the Ombudsperson shall be to ensure the awareness and the respect of student rights as well as the advocacy of equity issues at Desautels.

2.02

The Ombudsperson shall advocate concerning equity issues and shall be a confidential resource person for students regarding their rights and responsibilities at McGill University.

2.03

The Ombudsperson shall:

1. Present a report monthly to the Council.
2. Meet monthly with SSMU Equity Commissioner and other faculty Equity Commissioners
3. Be available to answer students' concerns regarding grievances and equity issues in general
4. Keep students informed about their rights and responsibilities and promote their respect
5. Complete all equity training as deemed necessary by the Council and/or the SSMU
6. Make known to the members of the MUS that he/she is available for the hearing of complaints or questions by posting on his/her office door and website:
 - i. Specific office hours to be held
 - ii. Contact information of the Ombudsperson
7. Announce and hold no less than one (1) office hours per week, excluding exam periods.
8. Refer unresolved cases, or cases with an actual or perceived conflict of interest, to the SSMU Equity Office or the McGill Ombudsperson Office.
9. Provide verbal reports on all Ombudsperson related activities to the Council at least once per month.
10. Make a report of the Ombudsperson available to all concerned parties.
11. Not be eligible to vote on any committee or council he/she is a member of, nor hold any MUS leadership position while serving his/her term as Ombudsperson.

2.04

Upon selection, the Ombudsperson will be publicly advertised

3. Complaints

3.01

All complaints shall be submitted in writing or addressed in writing to the Ombudsperson.

3.02

A complaint can be submitted anonymously.

3.03

All complaints submitted will be investigated, provided the appellant party is willing to assist the Ombudsperson in a capacity that will not put their personal safety or the safety of any other individual or group at risk.

The Ombudsperson shall investigate any information that is not explicitly confidential.

Complaints will be investigated primarily by the Ombudsperson; in certain cases, the SSMU Equity Committee, and/or the faculty Executive Committee will be consulted for further investigation and procedural matters.

3.04

All complaints will be resolved as per the stipulations in section 6 of the Equity Policy.

3.05

The Ombudsperson will be given a page on the Management Undergraduate Society Website with their contact information, an online complaint form and a copy of the Equity Policy

4. Discipline and Resolution of Complaints

4.01

Acts of discrimination and harassment will be considered an offence and subject to disciplinary action.

4.02

Disciplinary action in the case of Management Undergraduate Society volunteers is a human resources matter and is at the discretion of the Ombudsperson, Executive Council and Human Resources Director.

4.03

Disciplinary actions and resolutions include, but are not limited to:

1. Letter(s) of apology
2. Suspension of the respondent from their position within the Management Undergraduate Society and its affiliated clubs, services, or publications
3. Suspension of financial support by the Management Undergraduate Society for clubs, services, or publications that violate this policy
4. Dismissal of the respondent from their position within the Management Undergraduate Society
5. In the case of more serious violations, the complaint may be referred to the administrative powers of the University, or to an external legal source

5. Documentation – Equity Log

5.01

Any formal decision and/or action shall be documented in writing and provided to the appellant and to the respondent.

5.02

A copy of the report must be signed by the Ombudsperson and a witness, confirming that the report was received by both appellant and respondent.

5.03

A copy of all written complaints shall be kept in the Equity Log.

5.04

Any informal action undertaken shall be noted in the Equity Log, along with that signature of the Ombudsperson.

5.05

The Equity Log will be a Confidential Document.

6. Limitations

6.01

No complaint shall be considered with respect to an incident of discrimination or harassment, which occurred more than one calendar year prior to the complaint.

6.02

Nothing in this Policy precludes either party from exercising any recourse available external to the Management Undergraduate Society.

7. Blacklist

7.01

The MUS blacklist will serve as a list of individuals who are banned from occupying specific positions within the MUS, for an individual to be on the list, there must be a case sent to the MUS Ethics Board and the Ethics Board must recommend the blacklist as a primary outcome.

7.02

The MUS blacklist will be continuously updated by the Ombudsperson and will only be accessible by the Ombudsperson and the President of the MUS.

7.03

Every recruiting season, the Ombudsperson will go through the hiring system scanning all the candidates to make sure none of the blacklist persons are among the applicants.

7.04

If there are blacklist members among applicants, the Ombudsperson will notify the President and the person responsible for hiring and the blacklisted candidate will not be considered for an interview for the related role.