

Appealing Resolution 33 Harassment Grievance Decisions to National DSA

The National Harassment and Grievance Officer (NHGO - currently Paula Brantner, nationalgrievanceofficer@dsausa.org) is responsible for enforcement of [Resolution 33](#), DSA's Harassment Policy, and for processing harassment appeals. The following is a summary of how the appeals process works, but please feel free to contact Paula if you have any remaining questions. We will continue to supplement this document as needed to include relevant information and policies as they are further developed.

Scope of Resolution 33:

Members shall not engage in harassing or abusive behavior on the basis of someone's individual characteristics such as sex/gender, race, sexual orientation or gender identity. (See [Resolution 33](#) for included individual characteristics.)

If you believe you have grounds for a harassment grievance, the first step is to contact your chapter's HGOs and submit a grievance using the confidential email established for this purpose. If your chapter has not established and publicized such an email address, please notify the National HGO so she can assist them in doing so.

Appealing to the National Harassment and Grievance Officer:

Appeals are *only* eligible to be considered by the National HGO **once a chapter has reached a final decision on disciplinary action/consequences for a finding that there has been a violation of Resolution 33**, up to and including expulsion from the chapter, and/or if the chapter is also recommending a member's expulsion from National DSA membership.

Either party may appeal the form of relief determined by a chapter's Steering Committee by contacting the National HGO to be provided with an appeal form.

Grounds for appeal:

The grounds for appeal are limited to:

- Either party believes the behavior was not interpreted using the standards for harassment set out in Section 1a of Resolution 33;
- Procedural errors, misconduct, or conflicts of interest affected the fairness of the outcome; or
- The remedy or penalty determined by Steering was grossly disproportionate to the violation committed.

Once the Appeal Form Has Been Filed:

Once National HGO has received the appeal form and supporting evidence, we will review what has been submitted to determine if there is any missing information needed. If there is not a written ruling from the chapter steering committee (or most likely, even if there is), we will make contact with the chapter HGOs and/or leadership to obtain information from them about the adjudication process below and any additional relevant information as to how and why the grievance was decided a particular way.

After reviewing relevant information, the National HGO will then submit a summary report and request for adjudication to DSA's governing body, the National Political Committee (NPC). The National HGO will work with the NPC to maintain confidentiality and anonymity wherever possible, and to identify potential conflicts of interest that could affect the adjudication. As provided in Resolution 33, the NPC will make the final decision as to the outcome of the appeal, and their decision will be final. The NPC's decision will be communicated to the parties and the Steering Committee of the chapter, and if an expulsion is upheld, to National staff responsible for maintaining DSA's membership records.

It is our intent with the grievance and appeals process to honor the spirit of Resolution 33 so that the entire process is "timely, efficient, accurate, and discreet." However, this entire process is being created from scratch and customized for DSA. It is being administered at the chapter level by volunteer HGOs, many of whom have been trained very recently and/or who do not have prior experience in working with grievances. It is being administered at the National level by a part-time contractor with a limited amount of time to devote to DSA matters, who has inherited a backlog of accumulated grievances. Those involved ask for your patience while this process gets up and running, and your recognition that unanticipated and difficult issues may take some time to resolve within the organization, especially where the matter requires new policies and procedures and/or ratification by the NPC at a quarterly meeting.

Retaliation is Prohibited:

Resolution 33 contains an anti-retaliation provision, which prohibits retaliation against a person who assists someone with a complaint of harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliatory behaviors includes threats, intimidation, reprisals, and/or adverse actions related to organizing. If any party to the complaint believes there has been retaliation, they may inform the HGO who will determine whether to factor the retaliation into the original complaint, or treat it as an individual incident.

Any retaliation against any individual involved in the process, whether it is other parties, chapter HGOs, chapter Steering Committee members, the National HGO, National staff, or the National Political Committee, will be subject to being added to the considerations upon appeal.

The parties are therefore advised to cooperate with all requests of the chapter HGOs and Steering Committee while the original grievance is pending, and with all requests of the National HGO, National staff, and NPC, while the appeal is pending. Any failure to cooperate with specific requests during the grievance and appeals process may be considered evidence of retaliation, relevant to a determination whether a member will comply with Resolution 33 and consequences for its violation.

Other Types of Appeals:

Original grievances that have not been previously submitted to the chapter or other DSA body where the conduct that is the subject of the grievance originated will not be considered by the National HGO unless the chapter has less than 100 members and has not yet instituted a grievance policy. (Some smaller chapters have established grievance policies and have (s)elected HGOs, so regardless of the size of your chapter, you should check with the chapter leadership first to determine whether the chapter will take the lead in grievance processing.)

If your chapter does not have 100 members and does not have a grievance policy with HGOs, please contact Paula and she will provide you with further information to initiate the original grievance process. In most situations, Paula will work with the chapter to designate an HGO, either temporarily for this grievance, or on a longer-term basis, so that the chapter is better positioned to handle conflict and accept grievances in the future.

Appeals for conduct that is not harassment using the scope provided above or not previously determined to be a violation of Resolution 33 are typically a *governance issue*, resolved according to processes detailed in a chapter's bylaws. While they used to be handled in a separate process under chapter and National DSA bylaws, the NPC has voted to hear all appeals following the same process used under Resolution 33. Please contact Paula for more information if your disciplinary action/expulsion was not under Resolution 33, and she will forward the information to the relevant parties for resolution.

Having a Code of Conduct may also be helpful in resolving conflicts which do not fall under Resolution 33. Some chapters already have codes of conduct, while the NPC has passed the [Code of Conduct for Members](#) which encompasses bullying and other inappropriate conduct outside of the scope of Resolution 33. This Code of Conduct is now available for chapters to either use as a template for their own codes of conduct or adopt in full. Disciplinary action/consequences for conduct that violates a chapter's Code of Conduct may or may not be appealable, depending on the nature of the violation and the imposed consequences. Paula can assist with determining next steps as well.