

TRIBAL COMMENTS REGARDING MODEL FISHERY MANAGEMENT COUNCIL POLICY ON ADDRESSING ALLEGATIONS OF HARASSMENT

In November the Council was presented with a model policy for addressing allegations of harassment of Council employees and Council process participants. After reviewing the model policy presented, we have a few suggestions for improving the policy as it is incorporated in Council Operating Procedures and goes out for public review:

1. The Policy should include examples of harassment. It's all too easy for people to claim ignorance that their behavior is out of bounds. Clear examples that are made public and widely available help eliminate that excuse. There are examples that can be pulled from existing laws and policies¹.
2. Under the "Procedures" section on Council Response to Reports it speaks of the Executive Director taking "appropriate response" to reports. It also mentions "appropriate follow-up" by the response team. This section would benefit from clarity of the appropriate response and follow-up.
 - Is there more to the Director's "appropriate response" to a report than convening the response team? Does the "appropriate response" include taking any action recommended by the response team? The response steps should be explicit in the policy.
 - Examples of "appropriate follow-up" should include a schedule of disciplinary consequences. It could include training, removal from advisory bodies for repeat offenses, etc.
3. There should be diversity in the identities of the people to whom participants are supposed to report harassment. While the current Deputy Director is a woman, there have been many times in the past when the Executive Director, Deputy Director, Council Chair and Council Vice Chair have all been men. As an example, some women might not feel comfortable talking about sexual harassment with a man after a traumatic experience. The Council leadership, here and elsewhere, has largely been white, male, cis-gendered, straight, etc., and often the victims of harassment are people who don't fit these identities. The Council should consider how it can make the harassment reporting/response system more representative.

Active engagement with the advisory bodies and other Council participants during the review period will make for a much stronger policy. The finalized policy should be provided to all new members and appointees with their orientation materials, as well as easily accessible on the PFMC website and any other prominent, public-facing places (e.g., as one of the colorful fact sheets on the briefing materials table).

¹ The following list is just one example (see <https://dwd.wisconsin.gov/er/civilrights/discrimination/harassment.htm>): Harassment may include verbal abuse, epithets, and vulgar or derogatory language, display of offensive cartoons or materials, mimicry, lewd or offensive gestures, and telling of jokes offensive to the above protected class members. The behavior must be more than a few isolated incidents or casual comments. It involves a pattern of abusive and degrading conduct directed against a protected class member that is sufficient to interfere with their work or create an offensive and hostile work environment.