

University of New Brunswick Declaration of Rights and Responsibilities

Preamble

The University of New Brunswick is committed to providing a positive learning and working environment, one in which all members of its community are respectful and respected as individuals. We strive to foster a welcoming and supportive community, where every person feels empowered to contribute. In May 1998, a President's Task Force for a Positive Learning and Working Environment was established, a bi-campus committee under the leadership of Dean of Law Anne La Forest. This committee identified four essential elements of its mandate: community recognition of what constitutes a Positive Environment; prevention in the form of education and information; accountability for the community, and, when needed, redress for the individual. Building on the Report of that Task Force, this Declaration sets out the principles that form the foundation for a Positive Environment for learning, working, and living, the three essential aspects of a university community. This community, and the rights and responsibilities of its members, extends to all locations where UNB students and employees are engaged in University-related activity, with the exception of jurisdictions whose laws or physical limitations are beyond the control of the University.

[President's Task Force on Creating a Positive Working and Learning Environment, Final Report \(March 2000\)](#), [UNB Mission Statement](#)

1 Introduction

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| <i>Declaration Application</i> | 1.01 | The Declaration of Rights and Responsibilities applies to the University of New Brunswick and every member of the University of New Brunswick community. This membership includes every full time and part time student, every faculty member, and every staff member, including administrative, professional, and technical employees, and administrators. |
| <i>Declaration Enforcement</i> | 1.02 | The Positive Environment and Human Rights Office shall oversee the Declaration of Rights and Responsibilities. |
| <i>Declaration Interpretation</i> | 1.03 | The Declaration of Rights and Responsibilities shall not replace or supersede any of the rights or procedures set out in the official University policies or in the collective agreements to which the University is party. Future official university policies shall conform to the intent of this Declaration. |

2 Statement of Principles

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| <i>UNB is a Community</i> | 2.01 | As an institution devoted to higher education, the University of New Brunswick is committed to the social and academic development of its community, and to the pursuit of academic excellence. |
| <i>Environment of Respect and Tolerance</i> | 2.02 | Every member of the University community has a responsibility to treat all other members of the University community with respect and tolerance, and to contribute to a respectful learning and work environment. |
| <i>Equitable treatment</i> | 2.03 | Every member of the University community has the right to fair and equitable treatment by other members of the University community, and by the University. |

3 Fundamental Rights and Responsibilities

<i>Provincial Legislation</i>	3.01	Every member of the University community is entitled to protection under the New Brunswick Human Rights Act, which legislates against discrimination and harassment based on race, colour, religion, national origin, ancestry, place of origin, age, state of physical or mental ability, marital status, sexual orientation, sex, social condition, political belief or activity. UNB extends this to include issues of gender identity. This protection does not override the recognized exceptions within the Act, such as those based on <i>bide fide</i> occupational requirements.
<i>Abiding by the law</i>	3.02	Every member of the University community has the responsibility to abide by the laws of the land.
<i>Safe Environment</i>	3.03	Every member of the University community has the right to work, learn and study in a safe environment.
<i>Health and safety</i>	3.04	Every member of the University Community has the responsibility to comply with health and safety regulations, and to refrain from behaviour that is known, or ought reasonably to be known to be dangerous, harmful, disruptive or obstructive to the other members of the University community.
<i>Procedural Confidentiality</i>	3.05	Every member of the University community has a right to confidentiality of information in complaint and disciplinary procedures. Every member of the University community has a right to a full and impartial hearing in complaint and disciplinary procedures.
<i>Procedural Rules</i>	3.06	Every member of the University community has the responsibility to abide by the procedural rules as set out in the relevant disciplinary procedure, and has the responsibility to refrain from behaviour that would obstruct such procedures.
<i>The University's responsibility</i>	3.07	The University has a responsibility to make University policies accessible without difficulty.
<i>Right to access to Policies</i>	3.08	Every member of the University community has the right to see any official University policy upon requesting it.
<i>Familiarity with university policies</i>	3.09	Every member of the University community is responsible for becoming familiar with and abiding by the official University policies.
<i>Right to be informed of risks</i>	3.10	Every member of the University community has the right to be informed of known potential liabilities associated with obligations related to his or her employment or program of study.
<i>Responsibility to manage known risk</i>	3.11	Every member of the University community has the responsibility to manage known risk within his or her position of employment or program of study.
<i>Rights in University Governance</i>	3.12	Every member of the University community has the right and privilege to participate fully in University governance as set out in Senate regulations, guidelines, policies, and decisions, as approved by the Board of Governors and as set out in the <i>University of New Brunswick Act</i>

Responsibilities in University Governance 3.13 Every member of the University community who takes part in University governance has the responsibility to ensure that his or her participation adheres to the appropriate policies.

Related Policies and Procedures [New Brunswick Human Rights Act](#)
[UNB's Health and Safety Policies and Procedures](#)
[UNB's Statement of Principle on Accessibility](#)
[AUNBT Collective Agreement, Article 5](#) , [Article16A.03](#), [Article16B.03](#),
[Article16C.04](#)
Senate election regulations

4 Harassment

Right to be free of personal and sexual harassment 4.01 Every member of the University community has a right to be part of an environment that is characterized by mutual respect. Every member of the University community has the right to be free of harassment when working or learning. Harassment is comment or conduct that ought reasonably to be known to have the effect of creating an intimidating, humiliating, hostile or offensive working and learning environment. Retaliation for filing a harassment complaint is considered harassment. False charging is also harassment.

Obligation not to harass 4.02 Every member of the University community has an obligation not to engage in harassment towards another member of the University community. No member of the University community shall retaliate against a person who files a complaint against him or her. Retaliating may constitute grounds for a subsequent complaint or action by the University. Malicious charges are considered harassment.

The University's Responsibility 4.03 The University of New Brunswick has the responsibility to provide a safe environment that is free of harassment.

Senior administration's role 4.04 Senior administrators, as leaders, have a responsibility to communicate this expectation within the context of promoting a respectful working and learning environment.

Related Policies and Procedures [UNB's Workplace/University Harassment and Discrimination Policy and Procedures](#)
[UNB's Sexual Harassment Policy and Procedures Summary, with List of Harassment Advisors](#)
[UNB's Full Sexual Harassment Policy and Procedures](#)
[AUNBT Collective Agreement, Article 48](#)
[AUNBT Collective Agreement, Article 55](#)
[GLTA Collective Agreement, Article 32A](#)
[SALAC Collective Agreement, Article 32A](#)
[CUPE Collective Agreement, Article 32A](#)

5 Discrimination

Right to be free of discrimination 5.01 Every member of the University community has the right to be part of an environment that is characterized by equal opportunity and fair and equitable access. Every member of the University community has the right to receive equitable treatment by the university, and to be free of discrimination based on race, racial status, colour, religious belief,

	5.01	national origin, ancestry, place of origin, age, state of physical or mental ability, family status, sexual orientation, sex, gender identity, socio-economic status, political belief or activity, or any other grounds contained in the collective agreements and provincial legislation, within the known exceptions of the legislation. Every member of the University has a right to work, learn, study, and participate on a campus that the University makes its best efforts to be accessible.
<i>Obligation not to discriminate</i>	5.02	Every member of the University has the obligation not to act in a discriminatory manner towards members of the university community or those seeking employment or student status within the university community.
<i>The University's Responsibility</i>	5.03	The University of New Brunswick has the responsibility to make its best effort to provide a safe environment that is free of discrimination.
<i>Senior administration's role</i>	5.04	Senior administrators, as leaders, have a responsibility to communicate this expectation within the context of promoting a respectful working and learning environment.
<i>Related Policies and Procedures</i>		UNB's Workplace/University Harassment and Discrimination Policy and Procedures UNB's Equity Policy AUNBT Collective Agreement, Article 15 AUNBT Collective Agreement, Article 55 GLTA Collective Agreement, Article 6 (No discrimination) SALAC Collective Agreement, Article 6 (No discrimination) CUPE Collective Agreement, Article 6 (No discrimination)
	6	Academic Rights and Responsibilities
<i>Responsibility for own learning</i>	6.01	Every student is part of a learning community and as such has a responsibility to comply with academic regulations. Compliance with academic regulations as published is essential for participation in this community. These are set out in the relevant sections of the Undergraduate and Graduate Academic Calendars.
<i>Academic Rights of students</i>	6.02	Every student has academic rights as set out in the academic regulations published in the Academic Calendars.
<i>Compliance with Regulations</i>	6.03	Every member of the teaching staff, including but not limited to faculty members, instructors, and sessional lecturers, has a responsibility to know and work in accordance with the Academic Regulations.
<i>Academic rights of teaching staff</i>	6.04	Academic freedoms as set out in Article 14 of the AUNBT Collective Agreement are the right of every member of the teaching staff. Every member of the teaching staff has the responsibility to provide fair and impartial professional evaluation of student work, free from harassment or undue intervention.
<i>Standards of conduct</i>	6.05	Every member of the teaching staff shall uphold standards of behaviour within the classroom, laboratory, clinical, practicum or fieldwork setting which are consistent with the general regulations on conduct. Every member shall attempt to facilitate a safe and mutually respectful learning and work environment.

<i>Staff directly supporting teaching and learning</i>	6.06	Every member of staff directly supporting teaching and learning, including but not limited to teaching assistants, lab technicians, research assistants, library staff and academic administrators and advisors, has a responsibility to know and work in accordance with the Academic Regulations. Each member also has certain academic rights, as set out by Article 14 of the AUNBT Collective Agreement, with respect to the Academic Regulations.
<i>Right of refusal</i>	6.07	Members of staff directly supporting teaching and learning have the right to refuse a request for research or other academic assistance if the request is clearly beyond the staff member's domain of knowledge. In such an instance the right of the requester for service will be referred to a qualified staff member.
<i>Related Policies and Procedures</i>		<p>AUNBT Collective Agreement, Article 14 [instructors, deans/chairs] General Regulations on Conduct and Decorum [Students, applicable to everyone] Expectation of classroom conduct (Calendar IV.B) [Students and instructors, TAs, academic support staff] General Course Regulations [Students, instructors, deans, chairs, advisors] Academic Offenses [Students, instructors] Examination, Standing and Promotion [Students, instructors, deans/chairs] Right of Appeal [Students, instructors, deans/chairs] Confidentiality, Security, and Release [Students, instructors] Procedure for Dealing with Student Gifts [Instructors, students] Review of Grades [Students, instructors, deans/chairs] Graduate Academic Regulations and Procedures [Students] Procedures for the Submission and Assessment of Doctoral Dissertations [Students and supervisors]</p>
	7	Freedom of association
<i>Expression, Opinion, and Assembly</i>	7.01	Every member of the University community enjoys freedom of opinion, expression and peaceful assembly.
<i>Lawful Association</i>	7.02	Every member of the University community has a right to belong to any lawful association, and shall not be subject to prejudice or discriminatory treatment because he or she belongs to such an association.
	8	University facilities
<i>Right to use and enjoy Facilities</i>	8.01	Every member of the University community has a right to use and benefit from University facilities designated for his or her use according to the terms of his or her membership, upon payment of any required fees.
<i>Adherence to Facilities regulations</i>	8.02	Every member of the University community has a responsibility to adhere to the regulations regarding entry and use of all University facilities. Members of the University community have the responsibility to refrain from activities that ought reasonably to be known to constitute a danger or a nuisance, as recognized in the legal context, to other University members.

- Residence Life: freedom from disturbance* 8.03 Every member of the University community who resides in University residence has the right to be free from what ought reasonably to be known and understood in the legal context as nuisance and disturbance, including excessive noise.
- Residence Life: Refraining from causing disturbances* 8.04 Every member of the University community who resides in or visits University residence has the responsibility to refrain from causing nuisance, disturbances, or excessive noise that would unduly interfere with other residents' quality of life in residence.

Related Policies and Procedures [Student Disciplinary Code](#)
[UNBF Residence Handbook](#) (see especially quiet hours regulations)

9 Access to Personnel Files

- Access to information* 9.01 Every employee has the right to access their personnel file upon request.
- Maintaining information* 9.02 The University has the responsibility to ensure that information in employee personnel files is accurate and up to date, and that all personal information is handled in a confidential manner.

Related Policies and procedures [CUPE Collective Agreement, Article 5.09](#)
[AUNBT Collective Agreement, Article 26.03](#)
[UNBEA Collective Agreement, Article 5.09](#)
[Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#)

10 Conflict of Interest

- No conflict to exist* 10.01 Members of the university are expected to conduct their affairs in a manner which will not place them in a position that could reasonably be construed (or understood) to be conflict of interest. A conflict may result from competing professional or personal associations, and may arise from the *appearance* of either favoring or opposing a person or organization because of this association. Potential conflicts of interest may occur in many situations, including, but not limited to, decisions related to financial matters, hiring, admissions, selections for internal positions, assessment, promotion, research, supervision, and publication.

Disclosure 10.02 Members of the university are required to disclose in writing, to the appropriate person, e.g., supervisor, committee chair, or President, any situations which may conflict or give the appearance of a conflict of interest. Timing is of the essence; disclosure should be made as early as possible which, if at all possible, should be prior to the existence of a situation of conflict of interest. Normally, the resolution would be to remove oneself from the conflict.

Openness 10.03 Members of the university are encouraged to discuss, with the appropriate person, e.g., supervisor, committee chair, President, any situations which are in doubt with respect to an actual or potential conflict of interest.

Right of privacy 10.04 Members of the university should enjoy the same rights in their private dealings as any other individual unless such private dealings represent a conflict of interest.

Confidentiality 10.05 All information provided to the appropriate person in a conflict situation will be treated as confidential and will only be disclosed to those directly involved in the administration of the relevant situation.

*Related Policies
and procedures*

[Conflict of Interest in Purchasing](#)
[Conflict of Interest with PhD External Examiners](#)
[CUPE Collective Agreement, Article 24](#)
[UNBEA Collective Agreement, Article 24](#)
[AUNBT Collective Agreement, Article 52](#)
[Board of Governors Rules of Order and Procedure, 21](#)

Related Policies and Procedures Link URLs

Preamble

[President's Task Force on Creating a Positive Working and Learning Environment, Final Report \(March 2000\)](http://www.unbf.ca/vp/learn/positive/Report2000.pdf) [http://www.unbf.ca/vp/learn/positive/Report2000.pdf]
[UNB Mission Statement](http://www.unb.ca/welcome/mission.html) [http://www.unb.ca/welcome/mission.html]

1. Introduction

2. Statement of Principles

3. Fundamental Rights and Responsibilities

[New Brunswick Human Rights Act](http://www.gnb.ca/acts/acts/h-11.htm) [http://www.gnb.ca/acts/acts/h-11.htm]
[UNB's Health and Safety Policies and Procedures](http://www.unb.ca/safety/) [http://www.unb.ca/safety/]
[UNB's Statement of Principle on Accessibility](http://www.unbf.ca/vp/learn/access/access_actions.html)
[http://www.unbf.ca/vp/learn/access/access_actions.html]
[AUNBT Collective Agreement Article 5, 16A.03, 16B.03, 16C.04](#)

4. Harassment

[UNB's Workplace/University Harassment and Discrimination Policy and Procedures](http://www.unb.ca/hr/employees/policies/Harassment.html)
[http://www.unb.ca/hr/employees/policies/Harassment.html]
[UNB's Sexual Harassment Policy and Procedures Summary, with List of Harassment Advisors](http://www.unb.ca/hr/employees/policies/harassment.php)
[http://www.unb.ca/hr/employees/policies/harassment.php]
[UNB's Full Sexual Harassment Policy and Procedures](http://www.unb.ca/hr/employees/policies/policy/general/harassment.html)
[http://www.unb.ca/hr/employees/policies/policy/general/harassment.html]
[AUNBT Collective Agreement, Article 55](http://www.unb.ca/hr/services/Article55.html) [http://www.unb.ca/hr/services/Article55.html]
[GLTA Collective Agreement, Article 32A](http://www.unb.ca/hr/GLTA/art32a.html) [http://www.unb.ca/hr/GLTA/art32a.html]
[SALAC Collective Agreement, Article 32A](http://www.unb.ca/hr/Salac/art32a.html) [http://www.unb.ca/hr/Salac/art32a.html]
[CUPE Collective Agreement, Article 32A](http://www.unb.ca/hr/cupesj/art32A.html) [http://www.unb.ca/hr/cupesj/art32A.html]

5. Discrimination

[UNB's Workplace/University Harassment and Discrimination Policy and Procedures](http://www.unb.ca/hr/employees/policies/Harassment.html)
[http://www.unb.ca/hr/employees/policies/Harassment.html]
[UNB's Equity Policy](http://www.unb.ca/faculty/equity/) [http://www.unb.ca/faculty/equity/]
[AUNBT Collective Agreement, Article 15](http://www.unb.ca/hr/services/Article15.html) [http://www.unb.ca/hr/services/Article15.html]
[AUNBT Collective Agreement, Article 55](http://www.unb.ca/hr/services/Article55.html) [http://www.unb.ca/hr/services/Article55.html]
[GLTA Collective Agreement, Article 6](http://www.unb.ca/hr/GLTA/art06.html) (No discrimination)
[http://www.unb.ca/hr/GLTA/art06.html]
[SALAC Collective Agreement, Article 6](http://www.unb.ca/hr/Salac/art06.html) (No discrimination)
[http://www.unb.ca/hr/Salac/art06.html]
[CUPE Collective Agreement, Article 6](http://www.unb.ca/hr/cupesj/art06.html) (No discrimination)
[http://www.unb.ca/hr/cupesj/art06.html]

6. Academic Rights and Responsibilities

[AUNBT Collective Agreement, Article 14](http://www.unb.ca/hr/services/Article14.html) [http://www.unb.ca/hr/services/Article14.html]
[General Regulations on Conduct and Decorum](http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=11)
[http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=11]
[Expectation of classroom conduct](http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=7) (Calendar IV.B)
[http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=7]
[General Course Regulations](http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=7)
[http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=7]
[Academic Offenses](http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=10)
[http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=10]

[Examination, Standing and Promotion](#)

[<http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=9>]

[Right of Appeal](#)

[<http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=15>]

[Confidentiality, Security, and Release](#)

[<http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=3>]

[Procedure for Dealing with Student Gifts](#)

[<http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulations&id=20>]

[Review of Grades](#)

[<http://www.unb.ca/calendar/undergraduate/display.cgi?tables=regulationsSubLevel1&id=37>]

[Graduate Academic Regulations and Procedures](#)

[<http://www.unb.ca/gradschl/regulations/documents/FinalCalendarRegulations2005.pdf>]

[Procedures for the Submission and Assessment of Doctoral Dissertations](#)

[<http://www.unb.ca/gradschl/regulations/documents/ProceduresfortheSubmissionandAssessmentofDoctoralDissertations.pdf>]

7. Freedom of Association

8. University Facilities

[Student Disciplinary Code](#) [http://www.unb.ca/current/disciplinary_code/]

[UNBF Residence Handbook](#) (see especially quiet hours regulations)

[<http://www.unbf.ca/housing/reslife/handbook/Residence%20Handbook.pdf>]

9. Access to Personnel Files

[CUPE Collective Agreement, Article 5.09](#) [<http://www.unb.ca/hr/cupesj/art05.html>]

[AUNBT Collective Agreement, Article 26.03](#) [<http://www.unb.ca/hr/services/Article26.html>]

[UNBEA Collective Agreement, Article 5.09](#) [<http://www.unb.ca/hr/Salac/art05.htm>]

[Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#)

10. Conflict of Interest

[Conflict of Interest in Purchasing](#)

[<http://www.unb.ca/services/financialservices/facstaff/conflictinterest.htm>]

[Conflict of Interest with PhD External Examiners](#)

[<http://www.unb.ca/gradschl/regulations/documents/ConflictofInterestformforPhDcandidate.pdf>]

[CUPE Collective Agreement, Article 24](#) [<http://www.unb.ca/hr/cupesj/art24.html>]

[UNBEA Collective Agreement, Article 24](#) [<http://www.unb.ca/hr/GLTA/art24.html>]

[AUNBT Collective Agreement, Article 52](#) [<http://www.unb.ca/hr/services/Article52.html>]

[Board of Governors Rules of Order and Procedures, 21](#)

[<http://www.unb.ca/secretariat/Board/Rules/boardrulesOorder.htm#conofinterest>]