

LundaEkonomerna Student Union's Disciplinary Statute



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This statute applies from 29th of May 2019 following a decision made by the Board 18/19 on the 28th of February 2019 and the General Council the 29th of May 2019.



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Chapter 1 Introduction

§ 1.1 The purpose of this document

This disciplinary statute regulates disciplinary measures and matters that can be taken against an individual, or group of people, who are or has been members of LundaEkonomerna Student Union according to §2.

The purpose of the Disciplinary Statute is not to make LundaEkonomerna Student Union a judgmental and convicting organisation. Therefore, it is up to the investigating authority to decide upon if a reported suspicion of violation specified in §4 should be investigated in accordance to this document, or if the matter should be dealt with in other ways.

The Board have the highest decisive power when deciding on this. This applies to all cases except if the person accused of violation(s) is a member of the Board. The Board are obligated to present all reported suspicions of violation of this statute to the General Council.

Chapter 2 Definitions

§ 2.1 Member

A member of LundaEkonomerna Student Union are either:

- a) regular members,
- b) honorary members,
- c) supporting members, or
- d) members of the Seniors Collegium.

The definition of each type is stated in the Union Statute chapter 2 under §2.1.

§ 2.2 Individual Concerned

The person accused of such violations stated in §4 and is therefore subject of an investigation. In order for the investigation to fall under LundaEkonomerna, the person must be a member of LundaEkonomerna Student Union according to §2.

§ 2.3 Investigating Authority

The group conducting the investigation of a suspected violation stated in §4. The group should primarily consist of the Board led by the President of the Student Union. However, if anyone in the Board is subject to an investigation, or if the Board is otherwise found unfit to handle the situation, members of the General Council shall handle the matter, led by the Speaker.

§ 2.4 Convener

The convener of the investigating authority is the President of the Student Union, followed by the Vice President. If anyone in the Board is subject to an investigation, or if the Board



otherwise is found unfit to handle the situation, the convener of the investigating authority is the Speaker, followed by the Vice Speaker.

Chapter 3 Disciplinary Measures

§ 3.1 Measures

The possible disciplinary measures are:

- a) notification in the protocol,
- b) warning,
- c) suspension from activities and events over a limited amount of time,
- d) active engagement repealed, or
- e) permanent suspension from all Union related activities and events.

§ 3.1.1 *Notification in the protocol*

A decision for a notification in the protocol entails that a violation as such specified in §4 is written down and archived. If the individual concerned is subject to an additional disciplinary errand in future time, that investigating authority shall take the notification in the protocol into consideration when deciding on suitable disciplinary measures for that errand.

§ 3.1.2 *Warning*

A decision of a warning entails that the individual concerned has been warned about a possible suspension. If the individual concerned is subject to an additional disciplinary errand, that investigation authority shall take the first warning into consideration, and the individual should face suspension. Depending on how serious the violation is, the authority should consider either a time-limited suspension or a permanent suspension. In addition, found subject to more than one warning, the individual concerned should also be relieved from all active engagement within the union.

§ 3.1.3 *Suspension from activities and events over a limited amount of time*

A decision for a suspension from activities and events over a limited amount of time entails that the individual concerned cannot attend any events or activities arranged by the union over a limited amount of time. Depending on how serious the violation is, the authority should determine a time period over which the individual concerned should be suspended and from what activities and events. The individual concerned should also be suspended from all active engagement within the Union during the period. If found unsuitable for active engagement after the time period, the investigating authority shall announce this at the same time as other measures are being taken.

§ 3.1.4 *Active engagement repealed*

A decision for an active engagement repealed entails that the individual concerned has committed such a violation stated in §4 that he or she is found not suitable representing LundaEkonomerna Student Union. The individual concerned can, if the authority finds this a suitable option, be given the opportunity to renounce all active engagement by free will. If so, the individual concerned shall renounce the engagement in writing to the investigating



authority. If unwilling, the authority still have the mandate to repeal the active engagement. The individual concerned then has the right to appeal the decision in accordance to §8.

§ 3.1.5 *Permanent suspension from all Union related activities and events*

A decision for a permanent suspension from all Union related activities and events entails that the individual concerned has committed such a violation stated in §4 that he or she is found permanently separated from everything that the Union does and is related to. This includes all active engagement and involvement in any Union related activities and events. A decision for suspension shall immediately become effective, unless otherwise specified in the decision.

§ 3.2 **Multiple measures**

More than one disciplinary measure can be taken against an individual found guilty of such a violation stated in §4.

§3.3 **Liability to compensate**

In some cases, such as for example stolen or damaged property, the Union can charge the individual concerned to compensate or replace the item(s). A decision for liability to compensate entails that the individual concerned has by obvious intent, for example stolen or damaged items or property, or otherwise acted in a way that has resulted in economic loss for the Union. It is up to the investigating authority to decide upon if compensation should be of the full amount or parts of it. The compensation or replacement shall only be restricted to items and property not covered by insurance.

§ 3.4 **Take Effect**

A decision for suspension shall immediately become effective, unless otherwise specified in the decision.

A decision for an active engagement repealed shall become effective immediately after the decision has been made and reported to the concerned individual(s), unless otherwise specified in the decision.

If considered needed (e.g. if there is a considerable risk of a §4 violation being repeated) the investigating authority may with immediate effect suspend an individual suspected for violations from involvement within the Union before an investigation has been conducted. Such a decision shall apply until the investigating authority has examined the matter in accordance with §5, although no longer than a month.

Chapter 4 **Disciplinary Violations**

§ 4.1 **Disciplinary Violations**

Disciplinary measures according to §3 may be taken against an individual according to §2 that

- a) Disrupts operations at LundaEkonomerna to the extent that it harms the organisation profoundly,



- b) Damages or seizes property that belongs to or are associated with LundaEkonomerna, is used in its operations or is located in premises or areas where LundaEkonomerna activities take place,
- c) Subjects any other LundaEkonomerna functionary, member or employee to unequal treatment, discrimination, bullying, offensive and/or unwelcome treatment, violence or harassment of any kind.
- d) Acts dishonestly or improperly towards another member, employee and/or other functionary at LundaEkonomerna,
- e) Is guilty of an act, related to LundaEkonomerna or a person linked to the organisation, which may reasonably be assumed to constitute a violation of Swedish law,
- f) Acts in a way that is likely to damage the reputation of, or relationships to LundaEkonomerna,
- g) Otherwise violates LundaEkonomerna's statutes, values, policies, or other official regulations or guidelines,
- h) Behaves improperly during a LundaEkonomerna event or activity, or towards anyone connected to the organisation,
- i) Has been subject to disciplinary action after an investigation has been carried out by LUSEM.

§ 4.2 Time-limit

Disciplinary measures may not be taken later than 6 months after the reported violation.

Chapter 5 Investigation

§ 5.1 Notification

Founded suspicion of such a violation specified in §4 shall promptly be notified in writing to the President. If the President, or anyone else in the Board, is subject of suspicion to the violations specified in §4 or otherwise unfit to handle the matter, it shall instead be reported to primarily to the Speaker of the General Council.

§ 5.2 Call to order

When a notification regarding a suspicion of such a violation specified in §4, the convener shall call to a meeting. If the first convener for some reason is unable och unfit to convene the meeting, the meeting will be chaired by the deputy convener.

If the Board is found not suitable as the investigating authority, the matter shall be handled by a group of members from the General Council led by the Speaker, and in his/her absence, the Vice Speaker. The Speaker shall then notify the General Council and call to a meeting, where the investigating group shall be put together.

The investigating authority shall then gather to investigate the suspected matter no later than four (4) weeks after the reported errand.



§ 5.3 Unbiased constitution

The group must remain unbiased, meaning that when investigating the suspected violation, no member shall bring predictive opinions regarding either the concerned individual neither the situation into the investigation. If a member of the investigating group proves biased, the convener shall relieve the member from all participation in the investigation.

§ 5.4 Responsibility of investigation

The convener is responsible to ensure that the matter is thoroughly investigated.

§ 5.5 Confidentiality

The investigation shall take place in the confidentiality around the investigated parties. Exceptions may be made if it poses as an obstacle to the investigation. However, the name(s) of the informer shall not be named in any documentation.

§ 5.6 Express opinion

The investigating authority shall provide the individual(s) suspected of such a violation stated in §4 an opportunity to express their opinion on the matter. In order to do so, the individual(s) shall receive a summary of the accusations brought up, and the paragraphs violated as soon as they are informed that an errand is conducted against them.

§ 5.7 Obligation to participate

The investigating authority may convene concerned individuals to attend a hearing in order to provide information. If the investigating authority finds it necessary to hear the concerned individual in person, the person is obliged to appear when summoned. This concerns disciplinary measures brought up in this statute. The individual may send a representative.

Chapter 6 Decision

§ 6.1 Quorum - Board

If the Board is the investigating authority, the group is in quorum when at least five (5) members are present. If dissenting opinions are expressed, voting shall take place. Decisions are made by simple majority. At equal number of votes, the President has the casting vote.

The final decision on the outcome of the investigated violation should preferably be taken by the full Board.

The disciplinary decision shall be presented to the General Council at the next meeting.

§ 6.2 Quorum - General Council

If members of the General Council are the investigating authority, the group shall present their suggested decision to the General Council during the next scheduled meeting. The final decision is then made by the General Council. The General Council is in quorum when at



least eleven (11) members are present. At equal number of votes, the matter shall be dismissed.

§ 6.3 Protocol

The investigating authority shall in the protocol state their decision if the case should:

- a) be left without further action, or
- b) give rise to any of the disciplinary measures in §3.

§ 6.4 Inform the concerned individual

The investigating authority shall inform the concerned individual in the errand about their decision within 24 hours of the decision. This should preferably be done in writing, but can be complemented with a meeting.

§ 6.5 Faculty Involvement

If found necessary, the convener shall after the decision has been made inform members of the faculty on the process of the investigation, the final decision and possible outcomes of the situation.

Chapter 7 Formalities

§ 7.1 Documentation

The documentation of the disciplinary investigation shall, in addition to the provisions of these statutes, include the following information:

- a) The people who have participated in the investigation.
- b) Background and turn of events.
- c) Paragraphs and/or policies that have been found violated.
- d) The reason why they have been breached and the investigator's comments.
- e) Decision.
- f) The basis for decisions.

Chapter 8 Appeals

§ 8.1 Appeal

An appeal on the decision of taken disciplinary measures is made in written format and sent to the investigating authority convener.

§ 8.2 Information

The concerned individual shall be informed about the right to appeal when receiving the final decision.

§ 8.3 Appeal examination

On appeal, the errand will be examined by the General Council.



§ 8.4 Deadline

The appeal must be handed to the investigating authority within three weeks after the concerned individual has received the decision. Appeals can only be made once.