

## POLICY REBUTTAL:

Policies [2](#), [15](#), [22](#) and [71](#) and the reported violations thereof all cite that permission was not obtained to use university space for establishing signage and the minimal structures established by the encampment. Requiring that expression be pre-approved stands in contest with freedom of expression. Furthermore, these same policies could be applied to picket lines, where signage and barriers are ubiquitous. We do not believe the administration is justified in removing demonstrations solely on the grounds of permission. It seems that these policies are being applied in bad faith, particularly because the invocation of Policy 71 fails to mention that the encampment sits on a portion of campus that is almost entirely unused year-round.

The application of [Policy 33](#) is particularly concerning to us as a labour union. Job action in the form of strikes, walkouts, slowdowns, etc. are fundamental to the rights and benefits that a union can obtain. These forms of job action disrupt university function, while remaining legal and moral. Without them, employers are able to bargain in bad faith knowing that no recourse is available for workers. The current actions taken by the encampment have been significantly less disruptive than any possible job action. Thus, we have little faith that the administration won't unjustly apply this same policy to us should the need arise during bargaining, and reject its application here.

[Policy 34](#) cites the health and safety of community members as grounds for having the encampment removed. The university claims that allowing university staff to have free access to the encampment is necessary to ensure there are no safety concerns. However, the university also cites communications with encampment members regarding their reasons for installing plywood barriers<sup>1</sup>. This suggests that there is less reason to trust that expanding open access to university staff won't result in finding a contrived health and safety concern rather than looking for real concerns. Without this trust, barring university staff from surveying the encampment becomes more reasonable. We sympathise with the administration, insofar as liability concerns ultimately place more responsibility upon them. However, we believe that a solution can involve both meeting these responsibilities and reducing liability<sup>2</sup>. Either way, the University's responsibilities remain in spite of how difficult it may be to meet those responsibilities. Taking righteous action is still more important than taking easy actions.

Finally, we wish to reiterate the University of Waterloo's [Policy 8 on– Freedom of Speech](#), which states that *“all Members of the University and Visitors will respect the rights of others to engage in Free Speech on University Property and at University Events without Undue Interference,”* and the University's [Policy 33 on– Ethical Behaviour](#) that *“the right of individuals to advance their views openly must be upheld by the University”*. Multiple parties have noted that freedom of expression must be balanced with other fundamental rights, but we do not feel that Policy 8 and Policy 33 violations are worth upholding the misapplied policies above.

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<sup>1</sup> Proactively addressing future safety concerns should not be conflated with the presence of current safety concerns.

<sup>2</sup> For instance, an alternative could be establishing a third-party to regularly ensure that encampment members are safe.