March 4, 2020

PUB 333

5:00 p.m.

1. Call To Order: 5:01pm
2. Roll Call
   1. Brian Moore, Chief Justice: present
   2. Angelica Garcia-Macias, Associate Justice #1: present
   3. Sydney Bathurst, Associate Justice #2: present
   4. Reilly Responte, Associate Justice #3: absent
   5. Kelsie Coffell, Court Clerk: present
   6. Arturo Diaz, Complainant: present
   7. Mikayla Beeler, Co-Complainant: present
   8. Petal Michaud, Co-Complainant: present
   9. Kianna “Key” Baker, Accused: present
3. Reading of Complaint
   1. Reading of petition
   2. Reading of any other necessary documents
4. Opening Statements
   1. Arturo Diaz [3 min]
      1. The unprofessionalism in the workplace
      2. There might be better ways to solve this issue but we can’t just invalidate how people feel about these occurences and about the work environment that has been created in result of these occurances
      3. At the end of the day, Arturo hopes something can be solved here so we can move forward. Whatever remedy the court can offer.
      4. Mikayla states that she didn’t have a problem with Key at all in the beginning. She’s found her “spot” here, she loves ASEWU, but she has felt that people are invalidating her feelings
      5. Petal states that the issues she has had are in the past so she is here to support.
   2. Key Baker [3 min]
      1. Key acknowledges that her and her actions may have caused a harmful or uncomfortable work environment.
      2. She was not told that these things were an issue
      3. She thinks these complaints are valid
      4. But she thinks that these things can be solved with a simple conversation. Like she can stop cussing if someone just says something to her.
      5. She thinks she has shown that she can and will improve.
      6. For last quarter’s evaluations, she received sanctions, but in her follow-up evaluation, she showed that she improved.
      7. She says it seems like there is a pattern of repeating behavior but it is because she doesn’t know that these behaviors are wrong.
      8. She was never given the chance to say this before, but she would have liked to say this in a mediation
      9. She is ok with being wrong
      10. She didn’t understand how big the issues are until she got this complaint
5. Arguments
   1. Arturo Diaz [10 min]: Brian will give warning to the complainants on time.
      1. Arturo has nothing new to add.
      2. Workplace environment issues: Mikayla and Petal are not the only two members who have felt this office tension and these issues with feeling unable to confront these issues. It seems, from conversations he’s had with ASEWU members, that this issue is widely agreed upon.
      3. Mikayla:
      4. Whether you intentionally hurt someone or unintentionally do it, it still “breaks the vase.” Similarly, whether Key meant to hurt Mikayla’s feelings or not, she did. The events that transpired and the things that were said caused Mikayla to feel unwanted in the office.
      5. The day that this happened, she went home and called her court justice because she felt so inadequate and so unnecessary. She didn’t want to lose her job.
      6. After this threat of being fired or sanctioned, she approached Key to tell her she didn’t mean to make her feel uncomfortable by reaching out to the press. Mikayla did not intend to speak badly about ASEWU or anyone on ASEWU
      7. Another ASEWU member also came to this interview with The Inlander just to make sure Mikayla didn’t say anything she didn’t want to say.
      8. Key approached Mikayla to say she was sorry Mikayla felt this way but she didn’t understand how or why she made her cry.
      9. Mikayla does not know how Key would have known that Mikayla was crying after this event.
      10. Mikayla heard Key make the comment: “Connor is doing his job for once!” She talked to the other people who were in the area when it happened and they said it made them feel uncomfortable.
      11. Mikayla states that Key should be cognizant of her jokes and how they can cause harm
      12. Petal states that she would not be here if she didn’t feel it didn’t need to get to this point.
      13. Petal says that qualities of a leader need to include accountability.
      14. Key and Petal decided to do OXFAM together, but all the responsibility fell on Petal which she did not expect. She had to do everything for the event and she feels like it could have been more successful if Key had followed through with helping her
      15. Petal brings up the lack of respect Key demonstrates when she is on her phone during meetings. Respect is one of the House Rules which is posted in the ASEWU office
      16. Arturo just wants a solution for ASEWU to be more cohesive and be able to better transition the next members.
      17. Questions:
          1. Sydney asks if anyone has talked to Key about her swearing? Arturo responds that no one talked to Key directly, but during trainings we have talked about it. A lot of the responses we get is “that’s who I am.” But, at the end of the day we do represent the students and we are in professional meetings with professional people who might take this unprofessional language as a message which leads to a negative impression of ASEWU as a whole.
          2. Angelica asks if Gloria spoke to Arturo about the cussing during the ASEWU Represents You Panel? Arturo answers that they did talk about it, and though she didn’t say she was uncomfortable specifically, she did talk about it. She had also asked everyone to wear professional attire.
          3. Sydney asks Petal if she ever had a conversation with Key about the meeting which she was not present for? Petal answers that she did not have a follow-up conversation based on how the meeting went. After Key returned, Petal informed her of what her responsibilities were. The ordering around by Key happened about 2 weeks later while Petal was leaving for Lobby Day, both verbally and through email. Petal states that it wasn’t her event but she ended up taking care of everything.
          4. Sydney asks Petal if Key was physically not present in the meeting or just mentally? Petal answers both, that she was on her phone and also going in and out of the meeting for OXFAM. For the Wilburns, Key was on her phone.
   2. Key Baker [10 min]
      1. Key distributed a document where she numbered her responses corresponding to each complaint.
      2. Key states that this complaint speaks to an issue of bias in the workplace where women, especially women of color, are held to a higher standard. She also brought and cited a scientific study which speaks to this bias.
      3. The execs all have different frustrations with each other
      4. Key admits that her joke about Connor doing his job was a bad way of communicating her noticing of him fulfilling his responsibilities
      5. Key states that she does not remember saying council members will get fired. This is not to say she didn’t say it, but she thinks she may have mixed her certainty with her uncertainty and came across as confrontational and threatening instead of uncertain.
      6. Her understanding at the time was that she was the only one in ASEWU who was supposed to talk to press. She was mistaken. She would have pulled in council members individually to apologize about this.
      7. She states that she was very scared of anyone facing repercussions for talking to the press.
      8. This is her third time in a court room. She would never want this to happen to someone because they made a mistake in talking to The Inlander or whatever else.
      9. Key tried to deeply reflect on her conversations with Mikayla and what she did wrong. She still does not understand but she wants to. She didn’t want Mikayla to feel targeted or called out, this was not her intention, which is why she said “a few” and not Mikayla specifically.
      10. She’s aware that she’s on her phone a lot. She will try and stop this.
      11. She listens to podcasts all the time because she likes to receive information while also giving it. She argues that use of her phone might make her a better listener.
      12. She was not intentionally trying to order Petal around.
      13. Key says that Petal had told her that she wanted OXFAM to be her diversity event. She did send an email to try and communicate about her responsibilities
      14. During the Wilburns meeting, she was on her phone when they were talking about their own experiences because she has already heard those experiences from them.
      15. Key took her sweater off very soon after the protest started because either Brian or Arturo texted her about it (she can’t remember which). She circled herself in The Spokesman Review article photo where she is not wearing the sweatshirt. When she watched the video with Brian, there were about 17 views on this video, and she doesn’t want more attention to be called to these people.
      16. Questions:
          1. Angelica asks if Gloria informed Key about being uncomfortable with Key’s cussing during ASEWU Represents You
          2. Angelica asks if Key was informed that she should take off her sweatshirt during the protest? Key answers yes she received a text and immediately took it off.
          3. Brian asks how she knew that Mikayla was upset? Key answers that an anonymous person told her.
          4. Sydney asks about whether or not she received any feedback about her conduct during the protest? Key answers that Arturo did mention that it probably wasn’t great of them to follow the preachers around like that.
6. Witness Statements
   1. Complainant Witness [5 min per witness]
   2. Accused Witness [5 min per witness]
7. Closing Statements
   1. Arturo Diaz [3 min]
      1. We are a group of students, we make mistakes, but we need to be cognizant of how we land on people.
      2. Why is there no communication?
      3. Why don’t people feel comfortable enough to confront Key directly? There’s something to be said about the fact that people come to Arturo instead of Key.
      4. The workplace environment has been damaged because of it.
      5. Him and Key have gotten along much better this quarter because they only communicate online since their office hours are not at the same time.
      6. Still, there are people who have had these interactions and have been affected by it.
      7. We want to work towards a better ASEWU and a better environment for the future members.
   2. Key Baker [3 min]
      1. Key wants to reiterate that each complaint is valid and she’s glad that they were eventually brought to her attention.
      2. Hurting people in the office was never her intention.
      3. She has tried her best to communicate with the people who are negatively affected by her actions.
      4. This will only better her professionalism
      5. She will always be a leader, and these experiences will only help her be a better leader in the future.
      6. If she knows where she needs to improve, she will improve. She has shown this last quarter by improving on her sanctions from her court evaluations.
      7. This has made her feel worse in the office because she feels like, instead of people approaching her about these issues, they will just be compiled on a list and she won’t get a chance to redeem herself.
8. Deliberation
   1. Time adjourned to recess for deliberation: 5:49pm
   2. Time returned from deliberation: 11:00am March 5, 2020, PUB 207J
9. Announcement of Decision
   1. Brief description of the final decision by court
      1. First charge: responsible
      2. Second charge: not responsible
      3. Third charge: not responsible
      4. Fourth charge: not responsible
      5. Fifth charge: responsible
      6. Sixth charge: responsible
      7. Seventh charge: responsible
      8. Eighth charge: not responsible
10. Adjournment: 11:05am.