

Ban Policy

Free Geek has deep connections to the Vancouver community. Though its premises is private property, it is open to the public during normal business hours. Free Geek is committed to safeguarding the people who volunteer, shop, work, and spend time at its premises, to preventing disruption to its operations, and to protecting its property. Under unusual and extreme circumstances, Free Geek exercises its right to deny individuals' access to part or all of its premises after a reasoned determination has been made that a person has engaged in criminal activity, violation of Free Geek policy, or conduct that is or may reasonably be deemed to be threatening, disruptive, or violent. These determinations are called bans. They are considered a disciplinary last resort.

Definitions

Ban

A ban is a temporary or permanent restriction from part or all of an individual's interaction with Free Geek's operations. A ban can range from a simple restriction from a specific area of the premises, to a full restriction from entering Free Geek premises, volunteering at Free Geek, attending Free Geek social events, or attending non-Society Free Geek meetings. Bans do not affect an individual's membership to the Free Geek Society or their involvement with its proceedings.

Immediate Ban

A ban issued for behaviour reasonably considered dangerous, threatening, harmful, illegal, or legally compromising.

Deliberated Ban

A ban issued for repeated disruptive behaviour or repeated behaviour that causes distress.

Board

The collective Board of Directors of Free Geek.

Staff

The collective employees of Free Geek.

A staff

An individual employee.

Issuing staff

The staff responsible for delivering a ban to an individual.

Ban File

The file in the Free Geek office wherein all ban records are kept. Accessible to staff and directors.

Part 1 – Procedure

(1) Immediate bans are delivered in extreme circumstances where people or property are at dire risk during Free Geek operations or at Free Geek premises.

(a) Immediate bans are issued for behaviours that are reasonably considered dangerous, threatening, harmful, illegal, or legally compromising, including, but not limited to:

(I) Physical assault

(II) Sexual harassment

(III) Threats

(IV) Theft

(V) Unauthorized destruction of Free Geek property, including data

(VI) Unauthorized access or copying of Free Geek's private and proprietary data

(VII) Accessing or copying data from donated E-waste without permission from the donor

(VIII) Accessing, copying or modifying customer or client data without permission

(b) A staff may immediately ban an individual who was witnessed behaving in a way that warrants an immediate ban, provided they reasonably believe the individual's continued or immediate presence at Free Geek puts other individuals or Free Geek at risk.

(c) An immediate ban applies to all Free Geek premises, social activities, and operations, except Society-related proceedings.

- (d) The duration of an immediate ban is permanent, pending appeal.
 - (e) The Staff member who issues the ban will first, if possible, seek another staff to assist as a deputy. If no other staff is available, they may deputize a volunteer.
 - (f) The issuing staff will inform the individual they are banned, provide the conditions and duration of the ban, and then ask them to leave the premises.
 - (g) If the individual does not leave the premises, the issuing Staff will request assistance from at least one other Staff member to non-physically escort the individual out of the building.
 - (h) If the individual is belligerent, violent, or otherwise refuses to exit the building, Staff will call the police.
 - (i) If the individual has left before an issuing staff can deliver the ban, the individual will be informed of the next time they are present at Free Geek operations.
 - (j) After the individual has left, as a precaution, the issuing Staff will provide other Staff and, if necessary, volunteers, a brief description of the banned individual, and describe the behaviour that resulted in the ban.
- (2) Deliberated bans are issued for repeated disruptive behaviour or repeated behaviour that causes distress, and will be preceded by warnings.
- (a) Individuals who disrupt or cause distress are typically found to be in violation of Free Geek's policies and procedures, including, but not limited to:
 - (b) Free Geek's Code of Conduct and Netiquette policy
 - (c) On-site operational rules
 - (d) Staff instructions
 - (e) If a staff comes to a reasonable determination that an individual shows disruptive behaviour or behaviour causing distress that requires correction, they will first formally warn the individual of the behaviour, either in writing or verbally. The warning will contain in general terms:
 - (f) The behaviour the staff witnessed
 - (g) A recommended cooling-off period from Free Geek for the individual to consider the warning and correct their behaviour, the duration of which is at the discretion of the Staff (typically until their next shift).

(h) All formal warnings given to correct an individual's behaviour must be logged in a written report by the staff who gave the warning, and kept on file. The report must include:

- (I) The individual's name
- (II) Time and date delivered
- (III) Behaviour that warranted the warning

(i) The warned individual will be given a chance to demonstrate they have corrected their behaviour after the cooling-off period.

(j) If disruptive behaviour or behaviour that causes distress continues despite 2 warnings, the Staff and, if requested by Staff, the Board, may determine by consensus that an individual's repeated violations warrant a ban.

(k) If a decision to ban the individual is reached, an issuing Staff and a witness will inform the individual by a written letter that they are banned. The letter will provide the conditions and duration of the ban, and provide information on who to contact if they wish appeal the ban.

(3) After an immediate or deliberated ban is issued, a report of the ban will be written and filed with the Free Geek office within 14 calendar days after the ban is issued.

(a) The issuing Staff will write the report, which will include:

- (I) The banned individual's name, or, if not known, a physical description
- (II) Duration of the ban
- (III) Reason(s) for the ban
- (IV) Time and place
- (V) Names of witnesses
- (VI) References to video records (if available)
- (VII) References to prior warnings (if available)
- (VIII) Other Staff members involved
- (IX) Other actions taken by the Staff

(b) The issuing Staff will file the report in the ban file in the Free Geek office and forward a copy of it to the Board.