

CanoeKayak Canada

HARASSMENT POLICY

Policy Statement

It is the policy of CanoeKayak Canada, that every registered member and employee can expect to be afforded a sport and work environment, free of harassment and to be treated with respect.

CanoeKayak Canada is committed to the achievement of equal opportunity including the establishment of a sport environment in which all members and employees have the opportunity to contribute to the sport to their maximum potential.

In keeping with the spirit of this commitment, CanoeKayak Canada does not tolerate any form of harassment and undertakes to protect all registered members and employees regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, disability, age, marital status, family structure or record of offence, from harassment by other registered members and employees, officers of the Association, officials, organizers, coaches, club mates, and any other registered member or employee of CanoeKayak Canada with whom they may have contact.

This policy is directed towards the protection of registered members and Association employees from harassment which may occur:

- during the course of CanoeKayak Canada business and events, or within a registered club, province or division affiliated with CanoeKayak Canada; or
- outside of such events or clubs where there may be repercussions in the work or club, provincial or divisional environment adversely affecting registered members' canoeing relationships.

DEFINITION OF HARASSMENT

The Ontario Human Rights Code defines harassment as "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome". (Section 9(f))

Harassment takes many forms but can generally be defined as behaviour including comments and/or conduct which is insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or groups of individuals or which creates an uncomfortable environment. While this applies to all registered members and employees of CanoeKayak Canada and any form of harassment, the Ontario Human Rights Code specifically prohibits harassment on the following grounds: race, ancestry, place of origin, color, ethnic origin,

citizenship, creed (religion), sex, sexual orientation, disability, age, marital status, family structure or record of offence.

Harassment may include:

- written or verbal abuse or threats;
- sexually oriented comments;
- racial or ethnic slurs;
- unwelcome remarks, jokes, innuendos, or taunting about a person's body, attire, age, marital status, ethnic or racial origin, religion, etc.;
- displaying of sexually explicit, racist or other offensive or derogatory material;
- sexual, racial, ethnic or religious graffiti;
- practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
- unwelcome sexual remarks, invitations or requested whether indirect or explicit, or intimidation;
- leering (suggestive staring), or other obscene or offensive gestures;
- condescension, paternalism or patronizing behaviour which undermines self-respect or adversely affects performance or working conditions;
- physical conduct such as touching, kissing, patting, pinching, etc.;
- vandalism;
- physical assault

REPRISAL

As part of their right to freedom from harassment, CanoeKayak Canada registered members and employees are protected from reprisal or the threat of reprisal.

Reprisal may include situations in which a registered member or employee is:

1. denied or threatened with denial of promotional, advancement, training, or other related opportunities or benefits (e.g., team selection, etc.);
2. disciplined or threatened with disciplinary action;
3. dismissed or threatened with dismissal.

On the sole basis of :

- rejecting the sexual advances of a person in authority who could or who could be perceived to have influence over canoeing-related decisions affecting the member or employee;

- having made a complaint of harassment.

Reprisal may also include situations involving co-registered member(s) or co-worker(s) who, because the registered member or employee has made a complaint of harassment, continue or escalate the harassment; ostracize or isolate the registered member or employee; and/or engage in any behaviour with the intent to intimidate, threaten, humiliate, hurt or adversely affect the performance or working conditions of the registered member or employee.

PROCEDURE

CanoeKayak Canada is committed to creating and maintaining a supportive sport environment free of all forms of harassment.

Board/committee members, affiliated club/divisional/provincial executives, staff, coaches, managers, officials and employees of CKC are responsible for preventing and discouraging harassment by:

- understanding and upholding the principles of this policy;
- not engaging in behaviour contrary to this policy and ensuring that all members and employees are treated fairly and equitably;
- communicating the Association's objective to create and maintain a harassment-free sport;
- not allowing or condoning behaviour contrary to this policy;
- taking all complaints of harassment seriously by investigating complaints in a thorough and sensitive manner and taking prompt action to resolve the situation in accordance with procedures outlined in the following sections.

The Ontario Human Rights Code provides that a person who has the authority to prevent or discourage harassment may be held responsible for failing to do so.

All registered members and employees of CanoeKayak Canada have a responsibility not to harass any other registered member or employee. Registered members or employees who experience harassment are encouraged to make it known to the harasser that the behaviour is offensive and/or to report the incident(s) in accordance with the following complaint procedures. Registered members or employees who witness harassment or who become aware that a registered member or employee is being harassed are encouraged to report the incident in accordance with the complaint procedure which follows.

COMPLAINT PROCEDURE

Registered members or employees who experience harassment are encouraged to make it known to the harasser that the behaviour is offensive and contrary to CanoeKayak Canada policy. If confronting the harasser is not possible or if after confronting the harasser the harassment continues, report the incident to the Director General of CanoeKayak Canada.

If this avenue is either unavailable or inappropriate, complaints may be made to:

- any chair of any CanoeKayak Canada standing committee;
- any member of CanoeKayak Canada's Board of Directors;
- any CanoeKayak Canada coach, official, manager or staff member;

- any executive member, or employee of a club/division/province affiliated with CanoeKayak Canada.

Registered members or employees are encouraged to report incidents of harassment. Registered members or employees who bring the incidents to the attention of CKC will receive full support of the Association. Complaints will be addressed in a sensitive, responsible and timely manner.

Registered members or employees who experience harassment because of their sex, race, religion, ethnicity, place of origin, disability, age, sexual orientation or family status are specifically protected under the Ontario Human Rights Code and have the right to file their complaint with the Ontario Human Rights Commission.

COMPLAINT INVESTIGATION AND RESOLUTION

The above complaints procedure sets out a number of avenues for reporting incidents of harassment. Once a complaint is reported immediate action must be taken as follows:

1. the complaint must be documented and immediately forwarded to the Director General, who must inform the Board of the complaint as quickly as possible;
2. the Board must immediately appoint a tribunal or investigator to investigate the incident(s);
3. the complaint must be documented and immediately forwarded to the chair of the tribunal;
4. the Director General must ensure that an investigation is initiated.

All complaints of harassment must be investigated by the appointed tribunal to determine the nature and circumstances of the incident(s) and to determine appropriate resolution.

Complaints and notes of investigation(s) will be centrally stored in a locked cabinet in the office of the Director General to maintain confidentiality. The report from the Tribunal will be reported to the Board. CKC will consult with legal counsel if deemed appropriate. The Director General will provide a written response to the complainant and alleged harasser on the action to be taken as a result of the investigation. Every effort will be made to avoid publicizing facts that may be prejudicial to the persons involved.

Disciplinary Action

The following factors will be considered in recommending disciplinary action:

1. frequency of the harassment
2. past disciplinary record and mitigating circumstances
3. nature of the harassment (verbal or physical)
4. degree of aggressiveness and physical contact
5. whether or not coercion occurred.

Any validated recurrence of harassment, is grounds for disciplinary action up to and including a life time ban from membership in the Association and termination of employment in the case of employees.

If any registered member of employee is found to have made mischievous complaint of harassment, or malicious allegations of harassment, a warning letter will be given to the registered member or employee.