

## **Harassment Policy**

### **Policy Statement:**

1. It is the policy of the 2010 Ontario Winter Games Committee that every employee and member of the 2010 Ontario Winter Games Committee can expect to be afforded a sport and work environment free of harassment and to be treated with respect and dignity. The 2010 Ontario Winter Games Committee is committed to providing a quality sport experience for all its members, staff, and volunteers. Therefore the 2010 Ontario Winter Games Committee does not tolerate any form of harassment, ie., zero tolerance. Zero tolerance is defined as meaning that no level of harassment is acceptable. The 2010 Ontario Winter Games Committee will also not accept a hostile atmosphere. This may be defined as an atmosphere of tolerance for behavior, language, or treatment of individuals which undermines their personal power, creates personal discomfort, or jeopardizes their career aspirations. The 2010 Ontario Winter Games Committee will act quickly on any complaint of harassment with the goal of resolving the situation fairly and of preventing future occurrences.
2. This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials and members of the 2010 Ontario Winter Games Committee. The 2010 Ontario Winter Games Committee encourages the reporting of all incidents of harassment, regardless of who the offender may be.
3. This policy applies to harassment which may occur during the course of all 2010 Ontario Winter Games Committee business, activities, and events when such harassment adversely affects relationships within the 2010 Ontario Winter Games Committee's work and sport environment.
4. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from the Ontario Human Rights Commission even when steps are being taken under this policy.

### **Goals of the Policy:**

- to resolve a situation fairly and in a timely manner
- to prevent any further harassment
- to eliminate harm to the complainant
- to reduce liability of the organization and its Directors, staff and members through responsible policies, procedures and implementation strategies
- to educate and train organization members and participants about harassment and, in particular, sexual harassment.

### **Definition of Harassment:**

Harassment is defined as "a course of vexious comment or conduct that is known or ought reasonably to be known to be unwelcome".

Interpretation from "A Guide to the Human Rights Code", 1981: "harassment is a course of comment or conduct consisting of words or actions that disparage or cause humiliation to a person in relation to one of the prohibited grounds."

- Gender harassment - generalized sexist remarks and behavior. In sport, this would be comment or conduct consisting of words or actions that disparage or cause humiliation to a person in relation to one of the prohibited grounds.
- Seductive behavior that is viewed by another as an unwanted sexual advance.
- Sexual bribery - sexual advances made by a person who is able to grant or to deny a benefit to another; an advance from a supervisor to an employee, for example. In sport, this would be unwanted sexual advances by someone who is able to grant or to deny benefit (such as team membership) to another.
- Sexual coercion - coercion of sexual activity with threat of punishment or penalty. In sport, this could be, for example, the person who says, "if you don't sleep with me, I'll make sure you don't get an invitation to the national team training camp."
- Sexual imposition or assault - touching, grabbing, fondling, rape.

### **Harassment may include:**

- written or verbal abuse or threats;
- sexually oriented comments;
- racial or ethnic slurs;
- unwelcome remarks, jokes innuendoes 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;
- unwelcome sexual remarks, invitations or requests whether indirect or explicit, or intimidation;
- condescension, paternalism or patronizing behavior which undermines self-respect or adversely affects performance or working conditions;
- physical conduct such as touching, kissing, patting, pinching, etc.;
- vandalism;
- physical assault.

### **Applicability**

This policy applies to all departments, offices and committees subject to the 2010 Ontario Winter Games administrative policies and is directed towards the protection of employees, members and games participants from harassment which may occur:

- during the course of the 2010 Ontario Winter Games Committee business and events;
- or
- outside such business and events where there may be repercussions in the work or sport environment adversely affecting members and the 2010 Ontario Winter Games Committee relationships.

### **General Responsibility:**

All parties involved (staff, committee members, Board of Directors, participants in the 2010 Ontario Winter Games Committee events, complainant(s), Investigating Officers, Alleged Harasser(s), Outside Parties and any other party privy to a harassment case are bound to maintain confidentiality throughout all stages of the investigation process or this could result in countersuits and charges of defamation of character. The privacy and reputation of all parties must be protected.

**The 2010 Ontario Winter Games Committee shall appoint a Harassment Officer(s) whose duties include:**

- initiation of regular review of the Harassment Policy basis to ensure the inclusion of the latest initiatives of the 2010 Ontario Winter Games Committee.
- counseling and recommending on matters related to harassment as well as investigating.
- Establish a central registry to log all incidents of harassment to be kept in a confidential state.
- The Harassment Officer shall as soon as possible but in any event within thirty days of receipt of the complaint, file a report to the appropriate Chairperson and to the President of the 2010 Ontario Winter Games Committee, setting out all of the information obtained and copies of all documentation filed by both parties and recommending that:
  - no further action be taken because the complaint is frivolous, vexatious or vindictive, or because the conduct complained of cannot reasonably be said to fall within the definition of harassment set out in this document;
  - no further action be taken because a settlement has been reached; or
  - the formal hearing process be initiated.

A copy of the report shall be sent to the complainant and the respondent.

Individuals are encouraged to report incidents of harassment. Individuals who bring the incident(s) to the attention of the 2010 Ontario Winter Games Committee will receive full support of the Committee. Complaints will be addressed in a sensitive, responsible and timely manner. The receiver will then forward or work with the harassment officer to resolve the complaint.

In the case of suspected or alleged harassment, the offended party may contact the Harassment Officer for advice, or to make a verbal or written complaint.

The filing of a complaint of harassment is the right of each person involved in Ontario Winter Games activities and may be exercised without fear of reprisal or threat thereof. It is further understood that the filing of a complaint shall not in itself constitute sufficient grounds for disciplinary action. In addition, the mere fact that a complaint has been filed against an individual shall not, in and of itself, constitute grounds for disciplinary action against that individual.

**Harassment Advisor**

The Harassment Advisors are trained individual(s) to which harassment complaints can be directed. These people are trained to handle cases that may be resolved through informal procedures, and refer all other complaints to the Harassment Officer. If the 2010 Ontario Winter Games committee has not appointed a harassment officer, the advisor(s) would arrange for a trained harassment officer from outside the organization to investigate the complaint.

For further information regarding the 2010 Ontario Winter Games Committee Harassment Policy, please contact the 2010 Ontario Winter Games Committee Harassment Advisor(s).