

## Harassment and Abuse Policy

The Coaching Association of Canada is committed to the prevention of harassment and abuse within its delivery of core services, its employment practices, its volunteers and any members involved within the organization. As such, the organization will work to uphold this principle in the development and delivery of its core services, its employment practices and within its engagement of volunteerism with the association.

Harassment or Abuse is defined as:

Behaviour including comments, conduct, or gestures, which is insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals or which creates an uncomfortable environment, or which might reasonably be expected to cause embarrassment, insecurity, discomfort, offence, or humiliation to another person or group, including, but not limited to:

- a) written or verbal abuse or threats;
- b) physical assault;
- c) unwelcome remarks, jokes, innuendoes, or taunting about a person's body, sexual orientation, attire, age, sex, disability, marital status, ethnic or racial origin, religion;
- d) displaying of sexually explicit, racist, or other offensive or derogatory material, sexual, racial, ethnic, or religious graffiti;
- e) practical jokes which cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance;
- f) hazing or initiation rites;
- g) leering or other suggestive or obscene gestures;
- h) intimidation;
- i) condescension, paternalism, or patronizing behavior which undermines self-respect or adversely affects performance or working conditions;
- j) conduct, comments, gestures or contact of a sexual nature that is likely to cause offence or humiliation or that might, on reasonable grounds, be perceived as placing a condition of a sexual nature on employment or any opportunity for selection, training or advancement;
- k) false accusations of harassment motivated by malice or mischief, and meant to cause other harm;
- l) an environment that is "chilly" or "poisoned" - behavior or conduct that contributes to, supports or condones such an environment;
- m) sexual harassment

This policy also applies to any other ground of harassment prohibited by applicable law.

It is not just the conduct itself that makes certain behavior inappropriate, but the context or way in which it is delivered or its repetitive nature. This conduct makes the environment around the individual cold, hostile or alienating or as some human rights legislation and case law state, the environment is "chilly" or "poisoned". Any behavior, which contributes to, supports or condones such an environment is harassing.

## **Informal Complaint Procedure**

A person who thinks he or she has been subjected to conduct which constitutes harassment under this policy (the "Complainant") is encouraged to make it known to the person responsible for the conduct (the "Respondent") that the behavior is unwelcome, offensive and contrary to this policy.

If confronting the Respondent is not possible, or if after confronting the Respondent the conduct continues, the Complainant should seek the advice of the Chief Operating Officer, President or the Chair of the Board of the organization.

At the initial meeting between the Complainant and the Chief Operating Officer, President or Chair, the Complainant will be informed of the following:

- i) The role of the CAC representative is a conduit between the CAC Board of Directors and the Complainant. Information gathered about any complaint will be forwarded to the Board of Directors.
- ii) The option to pursue an informal resolution of the complaint;
- iii) or the right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
- iv) The availability of counseling and other support, as agreed to by the Board;
- v) The confidentiality procedure, as required by law;
- vi) The right to be represented by a person of choice, including legal counsel, at any stage in the complaint process at the individual's own expense;
- vii) Information gathered from alleged harassment complaints and those settled informally or formally will be filed at the CAC;
- viii) The right to withdraw from any further action in connection with the complaint at any stage.

The CAC representative acts as a neutral party. His / her role is to gather information and liaise with the Board of Directors until the complaint is resolved informally or proceeds to the formal step of this policy. The representative may provide support to both the Complainant and the Respondent in order to facilitate a satisfactory resolution for both parties.

Should the complaint not be resolved through informal procedures, nor is it more appropriately dealt with under another policy, the complaint shall proceed to the Formal Complaint procedures of this Policy.

## **Formal Complaint Procedure**

The Chief Operating Officer, President or Chair of the Board of Directors shall obtain from the Complainant a statement in writing outlining the details of the incident(s) and the names of any witnesses. The statement should be dated and signed by the Complainant. All complaints coming forward whether signed or not, will be investigated.

The Coaching Association of Canada's Board of Directors will contract legal counsel to investigate formal complaints. Counsel will report to the Board of Directors.

The CAC Board of Directors shall provide to legal counsel all the information the CAC representative has provided to the CAC Board of Directors surrounding the complaint. In the investigation and resolution of the complaint by legal counsel, CAC will respect the spirit of Canadian law and take the appropriate recommended actions, as required.

February 2005