

# **SBFC Academy - Harassment Policy**

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**SBFC** is committed to providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment which promotes equal opportunities and prohibits discriminatory practices. This environment should be free of harassment on the basis of race, national or ethnic origin, color, religion, sex, sexual orientation, marital status, family status or disability.

This policy applies to all officers, directors, employees, volunteers, coaches, referees, players and members of **SBFC**. **SBFC** encourages the reporting of all incidents of harassment, regardless of who the offender may be.

Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from Ontario Human Rights Tribunal, or any affiliated sports associations even if steps have been taken under this policy.

## **Part I - Definitions:**

**SBFC 1** - "Harassment" refers to behavior that may be verbal, physical, deliberate, unsolicited or unwelcome. It may relate to a single incident or a series of incidents. It may include any of the following:

- behaviour which is intimidating, hostile, abusive and/or an abuse of power and authority;
- verbal abuse or threats;
- unwelcomed remarks, jokes, innuendoes or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, etc.
- a display of pornographic, racist or other offensive or derogatory pictures; • practical jokes which cause awkwardness or embarrassment;
- unwelcomed invitations or requests, whether indirect, explicit or intimidating; • leering and other gestures;
- condescension or patronization which undermines self-respect;
- unnecessary physical contact such as touching, patting, pinching, tickling, punching;
- physical assault

**SBFC 2** - "Sexual Harassment" means:

- unwanted sexual attention of a persistent or abrasive nature made by a person who knows or ought to reasonably know, that such attention is unwanted and/ or inappropriate;
- a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the sexual advance;
- a reprisal, or a threat or implied threat of reprisal, for rejecting a sexual solicitation or advance;
- a course of abusive or unwelcome conduct or comment made on the basis of sex, or sexual orientation when it has the purpose or effect of creating an intimidating, hostile or offensive environment in which the person works.

**SBFC 3** - "Child Abuse" (under 18 yrs old) includes:

- neglect which endangers a child's welfare by failing to provide for physical, emotional or medical needs;
- physical abuse which causes intentional non-accidental injury to a child;
- emotional abuse which is damaging by whatever means of a child's self-image by an adult responsible for the child's nurturing or learning. It results in a decrease in the child's feeling of personal worth and thus his or her ability to love, trust and feel at one with the human race;

- sexual abuse, which includes any manual, oral, or genital sexual contact or the use of an object for sexual touching or penetration or any other explicitly sexual behavior that an adult imposes on a child by exploiting the child's vulnerability and powerlessness.

NOTE: Any allegation or suspicion of sexual abuse MUST be reported to the appropriate Child and Family Services and/or agencies and the police.

## **Part II - Responsibility:**

**SBFC 1 - SBFC** is responsible for ensuring implementing of this policy by:

- discouraging and preventing harassment within the SBFC
- ensuring formal complaints of harassment are investigated in a sensitive, responsible, timely and confidential manner;
- providing advice to persons who experience harassment;
- using SBFC best efforts to support and assist any employee or member of the SBFC who experiences harassment by someone who is not an employee or member of the SBFC
- making all members, volunteers and employees of the SBFC aware of this policy and procedures contained herein;
- regularly reviewing the terms of this Policy to ensure that they adequately meet SBFC legal obligations and public policy objectives;
- appointing a harassment officer representative and providing the training and resources they need to fulfill their responsibilities under this Policy; and
- imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position of the person or authority of the offender;

**SBFC 2 -** Every member of **SBFC** has a responsibility to play a part in ensuring that our environment is free from harassment. This means not engaging in, allowing, condoning, or ignoring behavior contrary to this Policy. In addition, any member of **SBFC** who believes that anyone else has experienced or is experiencing harassment is encouraged to notify the **SBFC** Harassment Officer.

## **Part III - General Provisions:**

**SBFC 1 - Confidentiality:**

- **SBFC** understands that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly accused of harassment. **SBFC** recognizes the interests of both the complainant and the respondent in deeming the matter to be treated in a confidential manner.
- **SBFC** will not disclose to any third parties, the name of the complainant/ victim or the respondent/ harasser, or the circumstances giving rise to the complaint unless such disclosure is consented to by the affected party, or such disclosure is necessary to investigate the allegations, or engage in any disciplinary or remedial process.
- If the complainant/ victim refuse to consent to the use of personal information by the **SBFC** Harassment Officer for the purpose of investigating or taking disciplinary action, then the complaint shall be deemed to have been rescinded.

**SBFC 2 - Harassment Officer:**

- **SBFC** shall appoint a Harassment Officer annually.
- The role of the Harassment Officer is to serve in a neutral, unbiased capacity to receive and investigate complaints, assist in the formal or informal resolution of complaints. In carrying out their duties under

this policy, the Harassment Officer shall be directly responsible to the owner of **SBFC** or if applicable, any reporting agencies.

- **SBFC** shall ensure that the Harassment Officer receives appropriate training and support for carrying out their responsibilities under this Policy.
- Harassment of an Employee or Volunteers: Where a person believes that an employee or volunteer has experienced or is experiencing harassment and reports this belief to the Harassment Officer, the Harassment Officer shall meet with the affected party, assess whether harassment has occurred and follow any necessary disciplinary actions or removal of harasser

#### **Part IV - Complaint Procedure, Investigation and Resolution**

- A person who experiences harassment is encouraged to make it known to the harasser that the behavior is unwelcome, offensive and contrary to this policy.
- If the victim is a youth, then their parent or legal guardian may support this process.
- If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the complainant/ victim should seek the advice of the Harassment Officer with support of their parent or legal guardian.
- The Harassment Officer shall inform the harasser in an official capacity and look to mediate a “no tolerance” and immediate solution where possible.
- If the harassment officer deems the situation to be valid and requires necessary disciplinary actions, all parties, including the **SBFC** owner and any affiliated organization will be notified for an official meeting of resolution. If the complaint lacks validity, an investigation will be required to ensure false accusations have not been placed on anyone.
- The **SBFC** Harassment Officer will advise the victim, parents or legal guardian on how they may proceed based on the following options aside from any internal **SBFC** investigation, possible suspension or removal of duties and official position:
  - The complainant/victim decides not to pursue any action;
  - The complainant/victim chooses to pursue an informal resolution of the complaint;
  - The complainant/victim decides to lay a formal written complaint to be investigated and resolved by **SBFC**
  - The complainant/victim chooses to pursue other options such as:
    - filing a complaint with the Ontario Human Rights Tribunal;
    - filing a complaint and police report.

#### **Part V - Disciplinary Process**

- **SBFC** Disciplinary Actions may include any of the following:
  - voluntary mediation of the dispute between the affected parties;
  - an apology from the respondent/ harasser (oral, written, private or public);
  - a verbal or written reprimand by **SBFC**
    - requiring mandatory training;
    - a suspension of membership privileges and participation;
    - a reassignment of duties
    - a removal and or firing of the harasser