



Policy on Harassment

(1) Policy Statement

1(1) Gay Ottawa Volleyball (GOV) is committed to fostering a harassment-free environment where all individuals are treated with respect and dignity and protected from harassment including that based on sexual orientation, gender identity, gender expression, sex, race, national or ethnic origin, religion, age, marital status, family status, disability or pardoned conviction.

1(2) Harassment at GOV is not tolerated. Individuals who are found to have harassed another individual may be subject to disciplinary action.

(2) Application

2(1) This policy applies to GOV representatives and individuals participating in GOV programming, tournaments, activities, meetings, events, or communications, including social media.

2(2) This policy applies to all behaviour that is in some way connected to GOV governance, administration, programming, or events.

(3) Definitions

3(1) An **individual** is any person participating in GOV programming or events, such as players and guests as well as other clients and agents acting on behalf of GOV and members of the public.

3(2) A **GOV representative** is a GOV director, officer, coordinator, or any person appointed to organize and supervise GOV activities.

3(3) **"Harassment"** means:

- a. engaging in a course of vexatious comment or conduct against an individual or GOV representative in any space where a GOV activity is undertaken, that is known or ought reasonably to be known to be unwelcome, including:
 - i. offending or humiliating someone physically or verbally;
 - ii. threatening or intimidating someone;
 - iii. displaying or circulating offensive pictures or materials; or
 - iv. making unwelcome jokes or comments about someone's sexual orientation, gender identity, gender expression, sex, race, national or ethnic origin, religion, age, marital status, family status, disability or pardoned conviction.
- b. sexual harassment;

3(4) **"Sexual harassment"** means:

- a. engaging in a course of vexatious comment or conduct against an individual or GOV representative in any space where a GOV activity is undertaken because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, including:
 - i. offensive or humiliating behaviour; or
 - ii. behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive environment.

- iii. behaviour of a sexual nature that could reasonably be thought to put sexual conditions
- b. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement on a person volunteering with GOV or participating in GOV programming or events and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

3(5) A reasonable action taken by a GOV representative relating to the management and direction of individuals, other GOV representatives, or the regular actions related to the organizing and supervision of GOV activities is not harassment.

(4) Responsibilities and Expectations

4(1) **GOV** is responsible for providing all individuals with a harassment-free environment.

4(2) The **GOV Board of Directors** is responsible for:

- (a) determining whether or not allegations of harassment are substantiated; and
- (b) determining what sanctions are appropriate where a harassment report has been substantiated;
- (c) ensuring that this policy is applied in a timely, consistent and confidential manner.

4(3) The **GOV Vice-President, Administration** is responsible for the administration of this policy, including:

- (a) communicating the process for investigating and resolving harassment reports made;
- (b) launching and overseeing harassment investigations when reports have been made;
- (c) taking appropriate action during a harassment investigation, including separating the parties to a harassment report, when appropriate;
- (d) ensuring harassment situations are dealt with in a sensitive and confidential manner.

4(4) **GOV Representatives** are responsible for:

- (e) fostering a harassment-free environment and setting an example about appropriate behaviour; and
- (f) addressing harassment situations immediately upon becoming aware of them, whether or not a harassment report has been made.

4(5) **GOV Representatives and Individuals** are responsible for:

- (a) treating others with respect during GOV planning and programming;
- (b) reporting harassment to the GOV Vice-President, Administration;
- (c) cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

4(6) **GOV Representatives and Individuals** can expect:

- (a) to be treated with respect;
- (b) that reported harassment will be dealt with in a timely, confidential and effective manner;
- (c) to have their rights to a fair process and to confidentiality respected during a harassment investigation; and
- (d) to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

(5) Procedures for Addressing a Harassment Complaint

5(1) Alternatives

- (a) Reporting harassment will initiate an official harassment investigation. Should it not be the intent of a representative or individual that such an investigation be undertaken, a report may be made under the GOV Code of Conduct.
- (b) Filing a report under the GOV Code of Conduct does not prejudice a representative or individual from subsequently or concurrently filing a harassment report.

5(2) Reporting an Incident

- (a) A GOV representative or an individual is encouraged to report harassment by contacting the GOV Vice-President, Administration.
- (b) No GOV representative or individual reporting harassment or participating in a harassment investigation will be penalized for doing so.
- (c) The report may be verbal or in writing. If the report is made verbally, the GOV Vice-President, Administration will record the details provided.
- (d) If the report of harassment is against the GOV Vice-President, Administration, then the report may be filed with the GOV President.
- (e) If the report of harassment is against the GOV President, then the report may be filed with the Chair of the GOV Board of Directors.
- (f) Reports of harassment should be made as soon as possible but no later than within six months of the last incident of harassment, unless there are circumstances that prevented the person from doing so.
- (g) The report must include the following information:
 - i. Name(s) of the complainant(s) and contact information,
 - ii. Name of the alleged harasser(s), position and contact information (if known),
 - iii. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known),
 - iv. Details of what happened including date(s), frequency and location(s) of the alleged incident(s),
 - v. Any supporting documents the representative or individual who files a report of harassment may have in his/her possession that are relevant to the complaint, and
 - vi. List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.
- (h) The GOV Vice-President, Administration will inform the person against whom the harassment complaint has been made, in writing, that a harassment report has been filed, including the details of the allegations that have been made against them.
- (i) Every effort will be made to resolve harassment complaint within 90 days. The GOV Vice-President, Administration will advise both parties of the reasons why, if this is not possible.
- (j) If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, they should contact the Chair of the GOV Board.

5(3) Mediation

- (a) Wherever appropriate and possible, the parties to a harassment complaint will be offered mediation before proceeding with a harassment investigation.
- (b) Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment report.

- (c) A neutral mediator will be identified and retained by the Vice-President, Administration and agreed upon by both parties. The mediator will not be involved in investigating the complaint.
- (d) Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

5(4) Investigation

- (a) If mediation is inappropriate or does not resolve the issue, a harassment investigation appropriate to the circumstances will be conducted.
- (b) All investigations will be handled by an investigator who has the necessary training and experience. In some cases, an external consultant may be engaged for this purpose.
- (c) The investigator will interview the person who filed the report, the person against whom the complaint was made and any witnesses that have been identified.
- (d) All people who are interviewed will have the right to review their statement, to ensure its accuracy.
- (e) The investigator will also collect and review any relevant documents.

5(5) Investigation Report

- (a) The investigator will prepare and submit to the GOV Board, an investigation report that will include:
 - i. a description of the allegations;
 - ii. the response of the person the complaint was made against;
 - iii. the steps undertaken during the investigation;
 - iv. a summary of information learned from witnesses (if applicable); and
 - v. a conclusion about whether, on a balance of probabilities, harassment did occur.

5(6) Determination, Corrective Action and Sanctions

- (a) The GOV Board of Directors is responsible for determining whether or not allegations of harassment are substantiated. Any substantiated complaint will be subject to corrective action.
- (b) If a harassment complaint is substantiated, the GOV Board will decide what corrective action is appropriate.
- (c) Corrective action must be proportional to the type and severity of the complaint and will consider any previous complaints made against the perpetrator. In determining appropriate corrective action, GOV's primary focus will be ensuring the safety of GOV spaces and the dignity of all persons.
- (d) The Board may impose sanctions to enforce this policy. Sanctions may include but are not limited to:
 - i. a verbal warning;
 - ii. a written warning; removal from any portion of programming or events for up to one day;
 - iii. exclusion from programming or events for a specified period of more than one day; or
 - iv. permanent exclusion from programming or events.
- (e) For GOV representatives, additional corrective actions or sanctions may be imposed up to and including removal from their position, in accordance with GOV By-laws and policies.

5(7) Results of the Investigation

- (a) The person who filed the harassment report will be advised, in writing, of the results of the investigation within ten (10) calendar days of the investigation being concluded.
- (b) Any corrective action or sanctions to be taken, if any, will be communicated to the person who allegedly experienced workplace harassment and the alleged harasser(s) in writing within ten (10) calendar days of the investigation being concluded.

- (c) The amount of information provided about the corrective action will depend on the circumstances but will indicate what steps GOV has taken or will take to prevent a similar incident of harassment if harassment was found.

(6) Privacy and Confidentiality

6(1) All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved.

6(2) The investigator will ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation or as required by law. The investigator must remind the person who allegedly experienced harassment, the alleged harasser(s) and any witnesses of any confidentiality requirements under GOV’s harassment policy.

6(3) The information and documents associated with a harassment complaint, incident and/or investigation will not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

(7) Record keeping

7(1) GOV will keep records of all complaints or incidents of workplace harassment including:

- (a) a copy of the complaint or details about the incident;
- (b) a record of the investigation including notes;
- (c) copy of witness statements, if taken;
- (d) a copy of the investigation report, if any;
- (e) a copy of the results of the investigation that were provided to the worker who reported workplace harassment and the alleged harasser; and
- (f) a copy of any corrective action taken to address the complaint or incident of workplace harassment.

7(2) Records will be kept for at least one year from the conclusion of the investigation.

(8) Review & Enquiries

8(1) Gay Ottawa Volleyball will review this policy and procedures as required and will make necessary adjustments to ensure that it meets the needs of all community members. Enquiries about this policy and related procedures can be made to the GOV Vice-President Administration.



Tim Klodt, Chair of the Board

2 July 2020

Date



James Clemens, Secretary to the Board

2 July 2020

Date