

British Columbia Disc Sports

Anti-harassment Policy and Procedures

Policy Statement

British Columbia Disc Sports is committed to fostering a harassment-free community where all members are treated with respect and dignity.

The Canadian Human Rights Act protects employees from harassment based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

Harassment at British Columbia Disc Sports events is not tolerated. Members who are found to have harassed another individual may be subject to disciplinary action. This includes any member who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

Application

This policy applies to all current members of British Columbia Disc Sports.

This policy applies to all behaviour that is in some way connected to British Columbia Disc Sports events or activities, including during affiliated club events and online forums.

Definitions

Harassment is:

- offending or humiliating someone physically or verbally;
- threatening or intimidating someone; or
- making unwelcome jokes or comments about someone's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

Sexual harassment is:

- offensive or humiliating behaviour that is related to a person's sex;
- behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or
- behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's opportunities.

Harm is

- physical impact to complainant;
- emotional or psychological trauma to complainant; and
- ability of the complainant to safely participate in future events or activities.

Responsibilities and Expectations

British Columbia Disc Sports is responsible for:

- providing all members harassment-free events and activities; and
- providing education and training to prospective tournament directors.

The BCDS Anti-Harassment Committee Chair is responsible for:

- ensuring that this policy is applied in a timely, consistent and confidential manner; and
- communicating the process for investigating and resolving harassment complaints made by members.

The BCDS Anti-Harassment Committee is responsible for:

- the administration of this policy;
- reviewing this policy annually, or as required;
- making necessary adjustments to ensure that this policy meets the needs of the organization;
- determining whether or not allegations of harassment are substantiated;
- determining what corrective action is appropriate where a harassment complaint has been substantiated.

Tournament Directors are responsible for:

- fostering a harassment-free tournament environment and setting an example about appropriate behaviour;
- dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
- taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate; and
- ensuring harassment situations are dealt with in a sensitive and confidential manner.

Members are responsible for:

- treating others with respect;
- reporting harassment to the BCDS Anti-Harassment Committee;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process;

Members can expect:

- to be treated with respect at all BCDS sanctioned events, as well as on BCDS online forums;
- that reported harassment will be dealt with in a timely, confidential and effective manner;
- to have their rights to a fair process and to confidentiality respected during a harassment investigation; and
- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

Procedures for Addressing a Harassment Complaint

Filing a Complaint

A member may file a harassment complaint by contacting the BCDS Anti-Harassment Committee. The complaint may be verbal or in writing. If the complaint is made verbally, the BCDS Anti-Harassment Committee Chair will record the details provided by the member.

The member should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Complaints should be made as soon as possible but 1 year following the last incident of perceived harassment, unless there are circumstances that prevented the member from doing so.

Once a complaint has been made, the BCDS Anti-Harassment Committee Chair will directly communicate with the complainant to explain what the next steps in the investigative process will be. Following this, the BCDS Anti-Harassment Committee Chair will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against him or her.

Every effort will be made to resolve harassment complaints within 60 days. The BCDS Anti-Harassment Committee Chair will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, he or she should contact the BCDS Anti-Harassment Committee Chair

Mediation

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

Investigation

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged for this purpose. The investigator will interview the person who made the complaint, the person the complaint was made against and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

- a description of the allegations;
- the response of the person the complaint was made against;
- a summary of information learned from witnesses (if applicable); and
- a decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to the BCDS Anti-Harassment Committee. Both parties to the complaint will be given a copy.

Substantiated Complaint

If a harassment complaint is substantiated, The BCDS Anti-Harassment Committee will decide what action is appropriate based on the classes of offences as described in **Appendix A**.

Both parties to the complaint will be advised, in writing, of the decision.

Other Redress

A member who is not satisfied with the outcome of the harassment complaint process may appeal to the BCDS Anti-Harassment Committee Chair to review the case. The Chair may then recommend further legal redress if the Board cannot offer any further resolution.

Privacy and Confidentiality

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to those that need to know.

British Columbia Disc Sports and all individuals involved in the harassment complaint process, will comply with all requirements of the *Freedom of Information and Protection of Privacy Act* to protect personal information.

Review

British Columbia Disc Sports will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all members.

Enquiries

Enquiries about this policy and related procedures can be made to the BCDS Anti-Harassment Committee.

Date: [Month/Day/Year]

Appendix A: Types of Offences and Recommended Consequences

Class A: Harassment and/or Assault Causing Significant Harm

Single incidents that are severe and have a lasting impact on the complainant (ie, physical or sexual assault, threats of harm and intimidation). In many cases, these may also be criminal in nature. In such cases, the BCDS will voluntarily participate in any criminal proceedings and cooperate with law enforcement.

Consequences:

- Class A offences should carry a standard penalty of 1 year suspension from BCDS events and BCDS affiliated clubs
- The BCDS anti-harassment committee may recommend alternative length suspensions, including indefinite membership suspension where it deems appropriate after considering the severe nature of a Class A offence
- Following the suspension, any further Class A offences committed by the same player should result in an indefinite suspension of the players BCDS membership

Examples include (but are not limited to):

- Sexual assault
- Assault
- Aggravated sexual harassment
- Aggravated harassment and/or bullying
- Credible and imminent threats to commit harm
- Malicious statements with an intent to cause harm (both physical or psychological) to a person or group of people

Class B: Harassment Causing Moderate Harm

Incidents of harassment where the offender has caused moderate harm to the complainant and in doing so, has created an unsafe (physical or psychological) play environment. In determining whether an offence is Class A or Class B, the committee and investigation will consider the harm caused to the complainant and/or other players, ability to establish intent to harm, and the nature of the offence.

Consequences:

- First-time Class B offences should carry a standard penalty of a required Respect in Sport training course at the player's expense to be completed before the player may participate in any further BCDS events.
- Class B offences may carry the penalty of suspension of membership, as recommended by the BCDS anti-harassment committee. Such suspensions will be to a maximum of six (6) months.
- Upon being found to have committed two Class B offences, all penalties will be doubled. The BCDS anti-harassment committee also may choose to reclassify the offence as a Class A offence where a pattern of behaviour becomes apparent.

Examples include (but are not limited to):

- Sexual harassment
- Harassment and/or bullying
- Vague threats to commit harm
- Racist statements with an intent to cause harm (both physical or psychological) to a person or group of people

Class C: Harassment / Discrimination without a Target and/or causing minimal harm

Incidents of harassment where a casual comment or statement, not directed at any of the players present, create an unsafe play environment for another player. In common language, this category would be referred to as 'Microaggressions', casually racist, discriminatory, or bullying and/or harassing statements, often made in jest.

The BCDS favours an education-first approach to such offenses to help our community and sport grow together.

Consequences:

- First-time Class C offences should carry a standard penalty of a required Respect in Sport training course at the player's expense to be completed before the player may participate in any further BCDS events.
- Class C offences after the first should carry a standard penalty of 2, 4 then 6 month suspensions, followed by a 12 month suspension for any further offences
- Class C offences need not be related to a previous offense in order to be considered pattern establishment. For example, a pattern of behaviour may include multiple types of comments.

Class D: Retaliation towards Complainants

Incidents involving retaliation for the complainants use of this policy. In many cases, the type of behaviour will also fit into one of Offences A - C. In instances where one of the aforementioned

Offence Classes is applicable and would carry a more severe penalty, that Class Offence will take precedence and the complaint will be upgraded to the appropriate Class of Offence.

Consequences:

- If a player is found to have committed a Class D incident, the BCDS anti-harassment committee will review the case and recommend a reasonable consequence based on the situation.
- Mitigating and aggravating factors will be considered.

Examples include (but are not limited to):

- spreading malicious rumours
- isolating the complainant from their social groups
- ridiculing or attempting to humiliate the complainant