



# TOTAL FIELD HOCKEY

## HARASSMENT POLICY

***Note: For convenience, this policy uses the term “complainant” to refer to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. The term “respondent” refers to the person against whom a complaint is made.***

### **POLICY STATEMENT**

1. TOTAL FIELD HOCKEY is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices.
2. Harassment is a form of discrimination. Harassment is prohibited by human rights legislation in each province of Canada.
3. Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offense under Canada’s Criminal Code.

### **APPLICATION**

4. This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials and participants of TOTAL FIELD HOCKEY camps & leagues. It applies to harassment which may occur during the course of all TOTAL FIELD HOCKEY business, activities and events.

### **DEFINITIONS**

6. *Harassment* can generally be defined as comment or conduct, directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive.
7. For the purposes of this policy, *sexual harassment* is defined as unwelcome sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when:
  - a) submitting to or rejecting this conduct is used as the basis for making decisions which affect the individual; or
  - b) such conduct has the purpose or effect of interfering with an individual’s performance; or
  - c) such conduct creates an intimidating, hostile or offensive environment.

8. Types of behaviour which constitute harassment include, but are not limited to:
  - a) written or verbal abuse or threats;
  - b) the display of visual material which is offensive or which one ought to know is offensive;
  - c) unwelcome remarks, jokes, comments, innuendo or taunting about a person's looks, body, attire, age, race, religion, sex or sexual orientation;
  - d) leering or other suggestive or obscene gestures;
  - e) condescending, paternalistic or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - f) practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
  - g) unwanted physical contact including touching, petting, pinching or kissing;
  - h) unwelcome sexual flirtations, advances, requests or invitations;
  - i) physical or sexual assault.

## **CONFIDENTIALITY**

9. TOTAL FIELD HOCKEY recognizes that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly convicted of harassment. TOTAL FIELD HOCKEY recognizes the interests of both the complainant and the respondent in keeping the matter confidential.

## **COMPLAINT PROCEDURE**

10. A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to this policy.

11. If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the complainant should contact the TOTAL FIELD HOCKEY LTD.

12. Once contacted by a complainant the role of the TFH Director is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its informal resolution.

13. There are three possible outcomes to this meeting between the complainant and TFH Director:

- a) *It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;*
- b) *The complainant may decide to pursue an informal resolution of the*

- complaint*, in which case the TFH Director, or a third party as determined by the TFH Director, will assist the two parties to negotiate an acceptable resolution of the complaint; or
- c) *The complainant may decide to lay a formal written complaint* submitted to TOTAL FIELD HOCKEY's TFH Director.

14. Within 7 days of receiving the formal complaint, the TFH Director, or delegate, shall appoint three persons to serve as a Panel.

## **HEARING**

15. A Hearing shall take place in accordance with the process set out in TOTAL FIELD HOCKEY's Discipline Policy, provided that:

- a) The complainant and respondent shall each receive a copy of the Formal Written Complaint.
- b) Both parties shall be present at the hearing to respond to the Formal Written Complaint, give evidence and to answer questions of the Panel.

16. As soon as possible but in any event within 21 days of the hearing, the Panel shall present its decision to the TFH Director, with a copy provided to both the complainant and respondent. This decision shall contain:

- c) a summary of the relevant facts;
- d) a determination as to whether the acts complained of constitute harassment as defined in this policy;
- e) disciplinary action against the respondent, if the acts constitute harassment; and
- f) measures, if any, to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute harassment.

17. If the Panel determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, their decision may direct disciplinary action against the complainant.

## **DISCIPLINE**

18. When determining appropriate disciplinary action, the Panel shall consider factors such as:

- a) the nature and severity of the harassment;
- b) whether the harassment involved any physical contact;
- c) whether the harassment was an isolated incident or part of an ongoing pattern;
- d) the nature of the relationship between the complainant and harasser;
- e) the age of the complainant ;
- f) whether the harasser had been involved in previous harassment

- incidents;
  - g) whether the harasser admitted responsibility and expressed a willingness to change;
  - h) whether the harasser retaliated against the complainant.
19. In recommending disciplinary sanctions, the Panel may consider the following options, singly or in combination, depending on the nature and severity of the harassment:
- a) verbal apology;
  - b) written apology;
  - c) letter of reprimand from the organization;
  - d) a fine or levy;
  - e) referral to counseling;
  - f) removal of certain privileges of employment;
  - g) demotion or a pay cut;
  - h) temporary suspension with or without pay;
  - i) termination of employment or contract;
  - j) refer incident to FHBC for possible further actions
- h) Both the complainant and respondent shall have the right to appeal the decision of the Panel to FHBC in accordance with their policy.