



## RESPECTFUL SPORT AND WORKPLACE POLICY

### DEFINITIONS

1. These terms will have these meanings in this policy:
  - a) **Discrimination** - means any action, behaviour or attitude whether intentional or not, which negatively affects or could negatively affect the employment, performance or volunteer activities of an individual, where such actions, behaviour or attitude is based on a prohibited ground for discrimination under applicable human rights law, such as, age (except for athletes, age has the same definition as under the applicable human rights legislation); ancestry; citizenship; colour; creed; disability; ethnic origin; language (but not where a language is a qualification for employment or office); marital/family status (defined to include common law relationships, and to not preclude anti-nepotism policies); place of origin; political opinion; race; sex (defined to include pregnancy); record of offences (has the same definition as under the applicable human rights legislation); gender identity and gender expression; and sexual orientation. This Policy also applies to any other ground of discrimination prohibited by applicable law.
  - b) **Harassment** – Generally defined as a form of discrimination that involves any unwanted physical or verbal behaviour that offends or humiliates. Harassment includes bullying, and can take many forms but often involves conduct, comment or display that is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading, or otherwise causes offence, discomfort, or personal humiliation or embarrassment to a person or group of persons.
  - c) **Sexual Harassment** – For the purpose 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:
    - i. Submitting to or rejecting this conduct is used as the basis for making decisions that affect the individual.
    - ii. Such conduct has the purpose or effect of interfering with an individual's performance.
    - iii. Such conduct creates an intimidating, hostile or offensive environment.
  - d) **Workplace Violence** – For the purpose of this policy, workplace violence is defined as:
    - i) The exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker.
    - ii) A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker that could cause physical injury to the worker.
  - e) **Workplace Harassment and Sexual Harassment** – For the purpose of this policy, Workplace Harassment and Sexual harassment will be defined as:
    - i) engaging in a course of vexatious comment or conduct (because of sex, sexual orientation, gender identity or gender expression in the case of sexual harassment) against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or, making a sexual solicitation or advance where the person making the solicitation or advance is in a

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- position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- ii) Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:
- Measures to correct performance deficiencies, such as placing someone on a performance improvement plan.
  - Imposing discipline for workplace infractions.
- f) **Workplace** - Any place where business or work-related activities are conducted. This includes but is not limited to; Surf Canada Offices, work-related social functions, work assignments outside Surf Canada Offices, work related travel, and work-related conferences or training sessions.
- g) **Individuals** – All categories of membership defined in the Surf Canada Bylaws, as well as all individuals employed by, or engaged in activities with Surf Canada including, but not limited to, athletes, coaches, event organizers, officials, volunteers, managers, administrators, committee members, and directors and officers of Surf Canada.

## **POLICY STATEMENT**

1. All Surf Canada Participants are expected to support a work and sport environment that fosters respect and promotes everyone's dignity and self-esteem. Surf Canada recognizes that discrimination, harassment, bullying and violence can poison the work and sport environment, not only for the group targeted, but for many other Surf Canada participants. All Surf Canada participants must recognize that it is the impact of the behaviour on a recipient that is paramount, not the intent of the individual who engages in the perceived offending behaviour.
2. Surf Canada is committed to creating and maintaining a work and sport environment which is free from discrimination, harassment, personal harassment, sexual harassment, bullying and violence.
3. Surf Canada does not tolerate, condone or ignore any workplace violence or harassment and will take whatever steps reasonable to protect our workers from the same.

## **PURPOSE**

4. The purpose of this policy is to protect from a hostile sport and/or working environment, Surf Canada's professional staff, its national team athletes and its volunteers, all of whom represent Surf Canada and who act on behalf of Surf Canada.

## **SCOPE AND APPLICATION**

5. This policy applies to all Individuals accessing Surf Canada and/or its premises for programs, events and services. All Individuals are expected to protect their own health and safety by complying with the law and safe work practices and procedures established and required by Surf Canada.
6. All Individuals are responsible for preventing and reporting acts of violence and harassment that threaten or perceive to threaten a safe work environment.

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7. Managers, supervisors and workers are expected to adhere to this policy and will be held responsible by Surf Canada for failure to follow the policy. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment or violence.
8. The Executive Director, or in the absence of an Executive Director – the President, will investigate and deal with all complaints or incidents of workplace harassment or violence in a fair, respectful and timely manner. Information provided about an incident or complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law. If the complaint or incident involves the Executive Director, the President will assume the Executive Director's responsibilities.
9. This policy applies to allegations of harassment or violence which occurred during the course of authorized Surf Canada business, activities and events, including but not limited to Surf Canada Championships, training camps, meetings and travel associated with Surf Canada activities and events.
10. This policy also applies to conduct outside the scope of Section 8 when such conduct adversely affects relationships within Surf Canada and its work and sport environment and is detrimental to the image and reputation of Surf Canada. Such applicability will be determined by Surf Canada at its sole discretion.

## **PROVISIONS**

11. Surf Canada will ensure that this policy and the supporting programs are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence and harassment in the workplace.
12. For the purpose of this policy, examples of Workplace Violence include:
  - a) Verbal threats made against a worker.
  - b) Sending to or leaving threatening notes or emails for a worker.
  - c) Making threatening physical gestures to a worker.
  - d) Wielding a weapon at work.
  - e) Hitting, pinching or unwanted touching of a worker which is not accidental.
  - f) Throwing an object at a worker.
  - g) Blocking normal movement or physically interfering with a worker, with or without the use of equipment.
  - h) Sexual violence against a worker.
13. For the purpose of this policy, examples of Workplace Harassment include:
  - a) Bullying.
  - b) Repeated offensive or intimidating phone calls or emails.
  - c) Inappropriate sexual touching, advances, suggestions or requests.
  - d) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form.
  - e) Psychological abuse.
  - f) Personal harassment.

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- g) Discrimination (Note: Unlike the Ontario Human Rights Code, Workplace Harassment does not require any motivation or connection to a prohibited ground of discrimination, such as, for example, race, ancestry, religion or disability).
  - h) Intimidating words or conduct, offensive jokes or innuendos.
  - i) Words or actions which are known or should reasonably have been known to be offensive, embarrassing, humiliating or demeaning.
14. Any person found to have engaged in acts of violence or harassment against any other employee, worker, contractor, subcontractor, principal, customer, supplier, client or other third party during business hours, or at any Surf Canada event or client event, will be subject to appropriate disciplinary action, including; warnings, reprimands, suspensions, discharge and/or termination for cause.
15. Surf Canada pledges to investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned to the fullest extent possible.
16. No worker is expected to work in a situation in which he/she believes that Workplace Violence is likely to endanger him or herself. A worker has the right to refuse work where a threat to physical safety exists as a result of a Workplace Violence situation, as described under this policy. This right does not extend or imply the right to refuse work in the case of Workplace Harassment in which there is no threat to physical safety.
17. Surf Canada will not in any way retaliate against an individual who makes a report of a violation under this policy, nor tolerate any retaliation by any employee, worker, supervisor or executive member. Retaliation is a serious violation of this policy and must be reported immediately. Any person found to have retaliated against another individual for reporting offending conduct will be subject to serious disciplinary action, up to and including termination for cause.
18. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from the provincial or territorial human rights commission even when steps are being taken under this policy.
19. This policy shall comply with the relevant articles of provincial Human Rights Codes as they are updated.

## **COMMUNICATIONS**

20. This Policy must be effectively communicated to those who will be responsible for its implementation and to all employees who may be affected by it.
21. This policy must be posted at a conspicuous place in the workplace.

## **REVIEW**

22. This Policy is subject to review at least once every two years.

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