

Harassment Policy

OVERVIEW

The Newfoundland and Labrador Amateur Taekwondo Union Inc. (NLATU) is committed to providing an environment where all individuals are treated with dignity and respect. Everyone has the right to participate and compete in an environment that promotes equal opportunities and prohibits discriminatory practices.

Every member of NLATU has a responsibility to not engage in, condone, or ignore harassing behaviours. Any member who believes that he / she or another member is experiencing harassment is encouraged to notify the appropriate authorities as designated in this Policy.

Harassment is a form of discrimination and is prohibited by the Canadian Charter of Rights and Freedoms and by human rights legislation in the Province of Newfoundland and Labrador.

NLATU is committed to providing an environment free of harassment on the basis of race, nationality, ethnicity, colour, religion, creed, age, gender, sexual orientation, marital status, disability, etc.

Definition

Harassment is a form of discrimination, and refers to conduct based on a prohibited ground, that creates an insulting, intimidating or humiliating environment which the perpetrator knew or ought reasonably to have known would be unwelcome. Harassment may be verbal, physical, visual or psychological. It can include but is not limited to:

Written or verbal abuse or threats;

The display of racist, sexist or other offensive material;

un-welcome remarks, jokes, comments, innuendo, or taunting about a person's looks, body, attire, age, intellectual ability, race, religion, gender, or sexual orientation;

Leering or other suggestive, obscene gestures;

Condescending, paternalistic, or patronizing behaviour which undermines self-esteem, diminishes performance, or adversely affects working conditions;

Practical jokes, which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;

Unwanted physical contact, including touching, petting, pinching, or kissing;

Unwelcome sexual flirtations, advances, requests, or invitations; or

Physical or sexual assault (sexual or physical assault are criminal offences and the appropriate police authorities should be contacted)

Application

This Policy applies to all employees, directors, officers, volunteers, coaches, athletes, officials, and members of the NLATU. The NLATU encourages the reporting of all incidents of harassment, regardless of who may be the offender. This Policy prohibits harassment that occurs during the course of all NLATU business, activities, and events, such as tournaments, clinics, competitions, practices and social events, etc.

Complaint Procedure

1) Informal Options

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. If confronting the harasser is not possible or the behaviour continues a person may wish to inform any member of the NLATU Board of Directors who can speak informally to the alleged harasser as a means of resolving the problem, and who can provide you with additional information.

2) Formal Options

If informal options are inappropriate or unsuccessful, an individual can file a formal written complaint with the NLATU President, who will convene the Board to review the case.

Dealing with a Complaint

Confidentiality

The NLATU recognizes the interests of both complainant and respondent in keeping the matter confidential, except as necessary to investigate and resolve the situation. The NLATU shall not disclose to outside parties the name of the complainant and respondent, or the circumstances giving rise to a complaint, unless such disclosure is required for a disciplinary or other remedial process.

Investigation

An investigation shall be undertaken within 30 days. The alleged harasser will be notified immediately upon receipt of the complaint. Both the complainant and respondent will be interviewed, along with any other individuals who may have information relevant to the situation.

Discipline

If the investigation reveals evidence to support a complaint of harassment, the harasser will face appropriate discipline. The following options, singly or in combination, may be considered depending on the nature of the harassment:

appropriate discipline. The following options, singly or in combination, may be considered depending on the nature of the harassment:

- Verbal apology
- Written apology
- Letter of reprimand from NLATU
- Referral to counselling
- Loss of position on board of directors
- Expulsion from membership
- Legal charges

Because false accusations can have serious repercussions on innocent individuals, the wilful misuse of this policy may also be grounds for disciplinary action ranging from a reprimand to expulsion of membership, to criminal charges.

Documentation

Where the investigation results in a finding of harassment; all documentation will be placed in the personnel or membership file of the respondent. Unless the findings are reversed upon appeal, this documentation shall be retained for a period of 3 years.

Where the investigation does not result in a finding of harassment, a copy of the documentation will be retained in NLATU files which are kept strictly confidential with access restricted to the NLATU Board of Directors.

Retaliation

Retaliation against any individual for reporting harassment, providing information or associating with someone who has filed a complaint or participated in an investigation will not be tolerated and will be treated as harassment.

Appeal Process

Both complainants and respondents can appeal a decision on the grounds that procedures were not followed; investigators were biased in their review of the situation; or the investigation was inadequate.

The intent to appeal must be made in writing, within 14 days of the decision, and include the grounds on which the appeal is being made. The Discipline and Harassment committee will receive the appeal, assess its merits and make a decision whether to proceed within 14 days of its receipt.

Other Options

Other Options

Notwithstanding this policy, every person continues to have the right to file a complaint with the Human Rights Commission, or, if appropriate, to pursue criminal charges with the police.

Human Rights Commission

The Beothuk Building

21 Crosbie Place

P.O. Box 8700

St. John's, NL

A1B 4J6

Tel: 709-729-2709

Toll Free: 1-800-563-5808

Fax: 709-729-0790

humanrights@gov.nl.ca

Board Approved 2012