

## HARASSMENT POLICY

### STATEMENT OF PRINCIPLES

1. This Policy sets out the principles and practices of Judo Alberta regarding harassment. Judo Alberta has adopted this harassment policy to make clear that harassment will not be tolerated in our sport. Judo Alberta encourages reporting of all incidents of harassment, regardless of who the offender may be.
2. This policy is in addition to and not in substitution for such rights as an individual may have under the *Alberta Human Rights, Citizenship and Multiculturalism Act*, as amended.
3. Judo Alberta is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination which is prohibited by human rights legislation in Canada. Judo Alberta supports the right of all its members, whether athletes, volunteers or staff, to participate in all Judo Alberta activities free from any form of harassment. Further, Judo Alberta emphasizes the importance of eliminating harassment in judo as a key element in ensuring the safety of participants. A sports environment which actively discourages harassment and builds relationships based on trust and mutual respect and encourages the overall development of the individual.
4. In order to further these aims, Judo Alberta will make every reasonable effort to promote awareness of the problem of harassment among all its members, and to respond swiftly and effectively to complaints or disclosures of harassment.

### PURPOSE

The purposes of this policy are:

1. to maintain an environment that is free from harassment;
2. to set out the types of behaviour that may be considered objectional, abusive or offensive;
3. to establish a mechanism for receiving complaints of harassment and to provide a procedure by which Judo Alberta will deal with these complaints; and
4. to provide an example of the steps that can be taken towards maintaining an environment in which members treat each other with mutual respect.
5. This policy is not intended to constrain social interaction between people in Judo Alberta or to affect the ordinary and proper evaluation of the performance of a judoka. The policy is intended to foster an environment in which members treat each other with mutual respect.

### POLICY

It is the policy of Judo Alberta that harassment in all its forms will not be tolerated during the course of any Judo Alberta activity or program. Accordingly, all Judo Alberta members, staff and volunteers are responsible for making every reasonable effort to uphold this commitment. Specifically, this includes refraining from harassing behaviour, responding promptly and informally to minor incidents of harassment and following guidelines for reporting or responding to more serious complaints of harassment. Judo members are expected to refrain from harassing behaviour and are encouraged to report incidents of harassment.

## **DEFINITION OF HARASSMENT**

Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affects the individual or group. Any of the different forms of harassment may be based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (eg: athlete to athlete, parent to official, coach to coach) or between someone in a position of power or authority and an someone in a subordinate position (eg: coach to athlete).

The following is a non-exhaustive list of examples of harassment:

- unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation etc.;
- condescending, patronizing, threatening or punishing actions which undermine self-esteem;
- practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety;
  - any form of hazing;
  - unwanted or unnecessary physical contact including touching, patting, pinching;
- unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation, or which might on reasonable grounds be perceived as placing a condition of a sexual nature; and
  - sexual assault or physical assault

## **INCLUDED BEHAVIOUR AND LOCATIONS**

For the purposes of this policy the types of behaviour which constitute harassment include, but are not limited to verbal abuse or threats, offensive comments and actions which demeans, belittles or humiliates an individual or group, and physical assault, and can occur:

- at the judo hall or dojo;
- at judo-related social functions;
- at judo-related conferences or training sessions;
- during judo-related travel;
- over the telephone or by e-mail; or
- elsewhere if the person harassed is there as a result of judo-related responsibilities or a judo-related relationship.

## **RESPONSE AND REMEDIES**

1. It is the position of Judo Alberta that harassment will not be tolerated. Harassment is unacceptable and harmful. Judo Alberta recognizes the serious negative impact of all types of harassment on personal dignity, individual and group development and performance, enjoyment of the sport and in some cases, personal safety.
2. At the same time, Judo Alberta recognizes that not all incidents of harassment are equally serious in their consequences. Harassment covers a wide spectrum of behaviours, and the response to harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment must be fair to all parties, allowing adequate opportunity for the presentation of a defense to the charges.
3. Every member of Judo Alberta has a responsibility to play a part in ensuring that the environment is free from harassment. This responsibility can only be met if every member ensures that his or her conduct avoids even the suggestion that it might constitute harassment.
4. Minor incidents of harassment (eg: inappropriate jokes) should be corrected promptly and informally, taking a constructive approach and with the aim of bringing about a change in negative attitudes and behaviour.
5. More serious incidents (eg: a course of repeated taunting, any form of sexual or physical assault) should be dealt with according to the Judo Alberta Harassment Complaint Procedures. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be no tolerance of reprisals taken against any party to a complaint.
6. Anyone making a complaint which is found to be clearly unfounded, false, malicious or frivolous will be subject to discipline.
7. Procedures for the handling of complaints brought against all members, staff and volunteers of Judo Alberta are detailed below in the document entitled "Judo Alberta Harassment Complaint Procedures."

## **JUDO ALBERTA HARASSMENT COMPLAINT PROCEDURES**

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**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.**

### **APPLICATION**

- This policy applies to all Judo Alberta staff, volunteers, and members. It applies to harassment that may occur during the course of all Judo Alberta business, activities and events.

## **MINOR INSTANCES OF HARASSMENT**

- This policy does not prevent an appropriate person having authority from taking immediate, informal, corrective disciplinary action in response to behaviour that, in their view, constitutes a minor incident of harassment.

## **REPORTING HARASSMENT**

1. A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to the policies of Judo Alberta.
2. If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the Complainant should request a meeting with a Harassment Officer of Judo Alberta. For the purposes of this Policy, a “Harassment Officer” is a male and female appointed by the Judo Alberta President, and shall preside over these procedures. The Harassment Officer shall advise the President of Judo Alberta, or designate, whether an investigation under this policy is required.
3. Once contacted by a Complainant the role of the Harassment Officer is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its informal resolution. If the Harassment Officer considers that he or she is unable to act in this capacity, the Complainant will be referred to the President of Judo Alberta, or designate.
4. Where a person believes that staff, a volunteer or member of Judo Alberta has experienced or is experiencing harassment and reports this belief to a Harassment Officer, the Harassment Officer will meet with the person said to have experienced harassment and proceed in accordance with these procedures.
5. Where a Harassment Officer believes there is sufficient evidence to warrant laying a formal complaint but the Complainant does not wish to do so, the Harassment Officer may lay a formal complaint and proceed in accordance with these procedures.

## **COMPLAINT PROCEDURE**

There are three possible outcomes to a meeting of Complainant and the Harassment Officer:

1. It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;
  2. The Complainant may decide to pursue an informal resolution of the complaint in which case a mediator as agreed to by both the Complainant and the Respondent will assist the two parties to negotiate or mediate an acceptable resolution of the complaint;
  3. or The Complainant may decide to lay a formal written complaint, in which case the Harassment Officer will receive the written complaint and will advise the President of Judo Alberta, or designate, and the Harassment Officer will conduct an investigation of the complaint.
- The Harassment Officer will carry out the investigation in a timely manner and at the conclusion of the investigation will submit a written report to the President, or designate, which will include a recommendation that:

- . No further action be taken because the complaint is unfounded or the conduct cannot be reasonably be said to fall within Judo Alberta's definition of harassment; or
- . The complaint has merit and should proceed to a hearing.
  - Within 10 business days of receiving the written report of the Harassment Officer that recommends that there be a hearing the matter will go to the Judo Alberta Disciplinary Committee and follow the procedures under the policies contained in Judo Alberta's Operation's Manual.

## DECISION

1. As soon as possible but in any event within 10 business days of the conclusion of the hearing, the Discipline Committee will provide its written decision to the President, or designate, with a copy provided to both the Complainant and Respondent. The decision will contain:
  - A summary of the relevant facts;
  - A determination as to whether the act complained of constitutes harassment as defined in this policy;
  - Disciplinary action against the Respondent, if the acts constitute harassment;
  - Measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute harassment; and
  - If the Complainant is not satisfied with the outcome of the investigation or disciplinary action, the Complainant will be reminded of the continuing right to file a complaint under the *Alberta Human Rights, Citizenship and Multiculturalism Act*, as amended.
2. If the Disciplinary Committee determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, its report may direct that there be disciplinary sanctions against the Complainant.
3. Unless the Disciplinary Committee decides otherwise, any disciplinary sanctions applied shall take effect immediately.
4. The decision of the Disciplinary Committee will be final and binding upon the Complainant, the Respondent and Judo Alberta.

## CONFIDENTIALITY

1. Judo Alberta recognizes the sensitive nature of harassment matters and in particular, the difficulties associated with coming forward with a complaint of harassment and with being accused of harassment. Judo Alberta recognizes the interests of both the Complainant and Respondent in keeping any matter being dealt with under this policy confidential, except where disclosure is required by a disciplinary proceeding or by law.