



Ottawa TFC*

2075 Trim Road, Orleans Ontario, K4A 3R2
Tel: 613-573-7627 www.ottawatfc.com



OTTAWA TFC*

ANTI- HARASSMENT AND ANTI-DISCRIMINATION POLICY

INTRODUCTION

Ottawa TFC* is committed to providing a sport and work environment where all individuals are treated with respect and dignity, where every individual has the right to pursue the play of soccer, and work in an environment that promotes equal opportunities and prohibits discriminatory practices.

At Ottawa TFC every individual's opinion, perspective and uniqueness is valued.

Harassment is a form of discrimination and is prohibited by the Canadian *Charter of Rights and Freedoms* and by human rights legislation in every province and territory of Canada. Under the Ontario *Human Rights Code* (the "Code"), every person has the right to be free from harassment and discrimination.

Harassment and discrimination are violations of the law as well as being acts that are offensive, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada's *Criminal Code*.

POLICY

Ottawa TFC will not tolerate, condone or ignore discrimination or harassment based on any of the prohibited grounds in the *Ontario Human Rights Code*. These include:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status
- Marital status (including single status)
- Gender identity, gender expression
- Record of offences for which a pardon has not been granted or a record suspended
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

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If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination or suspension from employment at Ottawa TFC and/or all Ottawa TFC-sanctioned play.

Ottawa TFC is committed to having a comprehensive strategy to address harassment and discrimination, which will include:

- awareness and education to ensure everyone knows their rights and responsibilities
- policies and procedures that do not contain barriers relating to *Ontario Human Rights Code* grounds
- an effective and fair complaints procedure
- promotion of appropriate standards of conduct at all times

For the purposes of this Policy, retaliation against an individual for having filed a complaint under this Policy, or for having participated in any procedure under this Policy, or for having been associated with a person who filed a complaint or participated in any procedure under this Policy, will be treated as harassment, and will not be tolerated.

APPLICABILITY

This Policy applies to all Adult Participants, employees, directors, officers, administrators, volunteers, coaches, athletes, officials, and members of Ottawa TFC.

Every member of Ottawa TFC should avoid and discourage others' expressions or displays of prejudice, bigotry, sexual comments or racial slurs. Even the appearance of bigotry or prejudice can damage mutual respect between teams, athletes, management, staff, members, volunteers and spectators.

For the purposes of this Policy, sport and/or workplace harassment can occur in the following places:

- at sporting events, competitions, and in training sessions
- at the office
- at sport-related social functions
- at the business functions of Ottawa TFC such as meetings, conferences, training sessions and workshops
- during sport-related travel
- through any form of communication device/system including but not limited to telephone, email, text, fax, websites, postal service
- any formal or informal location where the harassment of a person is a result of their sport related involvement

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Notwithstanding this Policy, every individual who experiences harassment or discrimination has the right to seek assistance from the appropriate levels of government related to provincial and federal law.

It should be noted that Ottawa TFC's *Protection of Children Policy* may contain similar prohibitions as those in this Policy. However, nothing in this Policy will override the duties and obligations required of all individuals under the *Protection of Children Policy*.

DEFINITIONS

"Abusive behaviour" refers to unwanted physical, verbal or other objectionable conduct by a person that is intended to ridicule, belittle, alienate or humiliate another person.

"Abuse of authority" and "unfair treatment" are forms of abusive behaviour which occur when an individual improperly uses the authority inherent in their position to endanger or undermine an individual's status, or threatens the economic livelihood of the individual or in any way interferes with or influences the career of the individual.

"Adult Participant" includes all Ottawa TFC players, parents/guardians, coaches, referees, volunteers, employees, members, directors, suppliers, sponsors, and officials over the age of 18.

"Appeal" is the process outlined within this Policy which allows the Respondent to have the complaint reviewed.

"Complainant" refers to a person who experiences, or alleges to have experienced, harassment or discrimination.

"Disciplinary Committee" is a committee which will review and decide whether harassment has occurred and which will confirm or reject the recommendations of the Harassment Officer.

"Discrimination" is behaviour consisting of adverse differential treatment of an individual based on any of the prohibited grounds. Examples of discrimination are provided in this Policy.

"EODSA" is the Eastern Ontario District Soccer Association.

"Harassment" is a behaviour that creates an offensive, intimidating or hostile environment and that a reasonable person should have known would be unwelcome. Examples of harassment are provided in this Policy.

"Harassment Officer" is the individual designated by Ottawa TFC possessing the appropriate background and training in the implementation of this Policy.

"Individual" means a person, and includes players, parents/guardians, coaches, volunteers, employees, prospective members, members, director, suppliers, and officials of Ottawa TFC but does not include such legal persons as corporations.

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"Investigation Report" is the written record of an investigation, completed by the Harassment Officer, including but not limited to, a summary of details, determination of harassment, and recommended disciplinary action if harassment is found.

"Respondent" refers to the person against whom a complaint is made.

"Volunteer" is an Adult Participant, as defined above. Volunteers are not Team Officials or Technical Coaches but are individuals who perform voluntary services for Ottawa TFC on an occasional basis, such as at tournaments. Volunteers are representatives of Ottawa TFC and are subject to all Ottawa TFC's policies and guidelines.

PROHIBITED BEHAVIOUR

It is important to note that individuals experiencing harassment may not outwardly object to the harassing comments or conduct, and in some instances, may feel unable to object. An individual is not required to voice objection to the person making unwelcome comments. The individual may make a complaint and the behaviour found to be harassment.

The following behaviour is prohibited:

Discrimination: Means any form of unequal treatment based on a *Code* ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy.

Harassment: Improper behaviour by any person towards another which a person knows or ought to know would be unwelcome. This behaviour includes comments, conduct or gestures which are insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals or which creates an uncomfortable environment, or which might reasonably be expected to cause embarrassment, insecurity, discomfort, offense, or humiliation to another person or group, including, but not limited to:

- written or verbal abuse or threats
- physical assault
- unwelcome remarks, jokes, innuendos, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, religion, etc.
- singling out an individual for humiliating or demeaning "teasing" or jokes because they are a member of a *Code*-protected group
- displaying of sexually explicit, racist or other offensive or derogatory material, or sexual, racial, ethnic or religious graffiti
- practical jokes which directly or indirectly cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance

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- hazing or initiation rights
- leering or other suggestive or obscene gestures
- intimidation, through the suggestion or offer of a reward or privilege or through threats of retaliation related to speaking out about harassment
- condescension, paternalism, or patronizing behaviour which undermines self-respect or adversely affects performance or working conditions
- conduct, comments, gestures or contact of a sexual nature that is likely to cause offence or humiliation or that might, on reasonable grounds, be perceived as placing a condition of a sexual nature on employment or any opportunity for selection, training or advancement
- false accusations of harassment motivated by malice or mischief, and meant to cause other harm
- sexual harassment, as further defined below

If a person does not explicitly object to harassing behaviour, or appears to be going along with it, does not mean that the behaviour is acceptable and is considered harassment under the *Code*.

Sexual and gender-based harassment: Sexual harassment is a form of harassment that may include one or a series of incidents involving unwelcome sexual advances, requests for sexual favours, or other verbal conduct of a sexual nature:

- when such conduct might reasonably be expected to cause embarrassment, insecurity, discomfort, offense, or humiliation to another person or group
- when submission to such conduct is made either implicitly or explicitly a condition of employment/sport related activity
- when submission to or rejection of such conduct is used as a basis for any employment/sport decision (including, but not limited to, matters of promotion, raise in salary, job security, benefits affecting the employee, team selection)
- when such conduct has the purpose or the effect of interfering with a person's work/sport performance/experience or creating an intimidating, hostile or offensive work/sport environment.

Examples of sexual harassment can include, but are not limited to:

- gender-related comments about an individual's physical characteristics or mannerisms
- paternalism based on gender which a person feels undermines his or her self-respect or position of responsibility
- unwelcome physical contact
- suggestive or offensive remarks or innuendoes about members of a specific gender
- propositions of physical intimacy
- gender-related verbal abuse, threats or taunting
- leering or inappropriate staring
- bragging about sexual prowess or questions or discussions about sexual activities
- offensive jokes or comments of a sexual nature

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- rough and vulgar humour or language related to gender
- display of sexually offensive pictures, graffiti or other materials including through electronic means
- demands for dates or sexual favours

Sexual Solicitation: Sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance is a form of harassment. This includes managers and supervisors, as well as co-workers where one person is in a position to grant or deny a benefit to the other.

Poisoned environment: A poisoned environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of Ottawa TFC) that create a discriminatory environment. The comments or conduct need not be directed at a specific person, and may be from any individual, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

Racism: Examples of racism include but are not limited to:

- interpersonal behaviour such as name calling, derogatory remarks, gestures and physical attack
- racial bias in Ottawa TFC club or sport-related decisions such as team selection, program access, and participation in activities and decisions related to sport-related issues
- racial bias in administrative decisions, assignments, promotion, holidays, leave, salary increases
- stereotyping language which universalizes experience and ignores the differences between individuals and cultures
- discriminatory language, including language which denotes a stereotyped view of a subject or which has offensive overtones

RESPONSIBILITIES

Individuals (as that term is defined above) are responsible for ensuring a sport and working environment free of harassment and discrimination by:

- taking assertive action should they feel that they are being subjected to harassment or discrimination
- fostering an environment free of harassment and discrimination by attempting to stop incidents of harassment whether there is a complaint or not, as failure to take appropriate corrective action may be interpreted as condoning the prohibited behaviour

The Ottawa TFC Board of Directors is responsible for the implementation of this Policy and will identify and designate a Harassment Officer to be responsible for receiving complaints under this Policy.

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Ottawa TFC will act expeditiously on any complaint of harassment or discrimination with the goal of resolving the situation fairly and of preventing future occurrences, including determining and enforcing appropriate discipline, if required.

Notwithstanding the existence of this Policy, every Individual continues to have the right to seek assistance from the Ontario Human Rights Commission or other avenues.

The Government of Canada established a national toll-free confidential helpline for harassment, abuse and discrimination in sport. Canadian Sport Helpline provides professional listening and referral services by phone or text at 1-888-83-SPORT (77678) or by email at info@abuse-free-sport.ca, from 8 a.m. to 8 p.m. Eastern Time, seven days a week.

HARASSMENT OFFICER

Ottawa TFC will appoint one person to serve as a Harassment Officer under this Policy. The role of the Harassment Officer is to serve in a neutral, unbiased capacity to receive complaints, assist in an informal resolution of complaints and investigate formal written complaints. In carrying out their duties under this Policy, the Harassment Officer will be directly responsible to the Chair of the Ottawa TFC Board of Directors.

Ottawa TFC will ensure that the Harassment Officer receives appropriate support and training as required to carry out their responsibilities under this Policy.

CONFIDENTIALITY

It is understood that it can be extremely difficult to come forward with a complaint of harassment or discrimination and, as well, that it can be devastating to be wrongly accused and/or convicted of harassment or discrimination. In this regard, Ottawa TFC recognizes the interests of both the Complainant and the Respondent in keeping the matter confidential.

Ottawa TFC and its representatives will not disclose to outside parties the name of the Complainant, the circumstances giving rise to a complaint, or the name of the Respondent unless such disclosure is required by a disciplinary or other remedial process.

All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by Ottawa TFC except where disclosure is required by a disciplinary or other remedial process or where required to disclose by statute.

The regular procedures of Ottawa TFC associated with privacy and confidentiality will be observed at all times, including the sealing of all documents upon the conclusion of any investigation.

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COMPLAINT AND INVESTIGATION PROCESS

In all reported instances, a prompt, thorough, fair investigation will take place ensuring at all times the protection, rights and dignity of all people involved.

Approved by Board of Directors
August 27, 2019

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