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Approved By:	OCPSA Board of Directors

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### 3.1 HARASSMENT POLICY

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#### Policy Statement

1. OCPSA is committed to providing a safe and positive sport and work environment in which all individuals are treated with respect. Further, OCPSA supports equal opportunity and prohibits discriminatory practices. Members of OCPSA, parents/guardians of OCPSA members, participants in OCPSA programs and activities, and spectators at OCPSA's events are expected to conduct themselves at all times in a manner consistent with the values of OCPSA.
2. Harassment is a form of discrimination. Harassment is prohibited by human rights legislation in the *Ontario Human Rights Code*.
3. Conduct that violates this Harassment Policy may be subject to sanctions pursuant to OCPSA's policies related to discipline and complaints.
4. Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offense under *Canada's Criminal Code*.

#### Purpose

5. The purpose of this Harassment Policy is to ensure a safe and positive environment within OCPSA programs, activities and events, by making all individuals aware that there is an expectation of appropriate behavior, consistent with the values of OCPSA, at all times.

#### Definitions

6. The following terms have these meanings in this Policy:
  - a) 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.
  - b) 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 which affect the individual; or
    - ii. such conduct has the purpose or effect of interfering with an individual's performance; or
    - iii. such conduct creates an intimidating, hostile or offensive environment.

7. Additionally, the following terms have these meanings in this Policy:
- c) “*Individuals*” - OCPSA Representative, parents/guardians of OCPSA Representatives, other participants in OCPSA programs and activities, and spectators at OCPSA events.
  - d) “*OCPSA*” – Ontario Cerebral Palsy Sport Association.
  - e) “*OCPSA Representative*” - Any director, officer, committee member, employee, volunteer, coach, athlete, official, referee, manager and member within OCPSA.
  - f) “*Complainant*” refers to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint.
  - g) “*Respondent*” refers to the person against whom a complaint is made.

## Application of the Policy

- 8. This policy applies to Individuals relating to conduct that may arise during the course of OCPSA’s business, activities and events, including but not limited to, office environment, competitions, practices, training camps, travel associated with activities, and any meetings of staff, committees or the Board of Directors.
- 9. This policy applies to conduct that may occur outside of OCPSA’s business and events when such conduct adversely affects relationships within OCPSA’s work and sport environment.
- 10. Conduct arising within the business, activities and events of clubs or other organizations affiliated with OCPSA will be dealt with using the policies and mechanisms of such organizations.

## Responsibilities

11. **All** Individuals have a responsibility to:
- a) Refrain from any behavior that constitutes harassment, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading or malicious. Types of behavior that constitute harassment include, but are not limited to:
    - i. Written or verbal abuse, threats or outbursts;
    - ii. The display of visual material which is offensive or which one ought to know is offensive;
    - iii. Unwelcome remarks, jokes, comments, innuendo or taunting about a person’s looks, body, attire, age, race, religion, sex or sexual orientation;
    - iv. Leering or other suggestive or obscene gestures;
    - v. Condescending, paternalistic or patronizing behavior which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
    - vi. Practical jokes which cause awkwardness or embarrassment, endanger a person’s safety or negatively affect performance;
    - vii. Any form of hazing;
    - viii. Unwanted physical contact including touching, petting, pinching or kissing;
    - ix. Unwelcome sexual flirtations, advances, requests or invitations;
    - x. Physical or sexual assault;
    - xi. Behaviors such as those described above that are not directed towards individuals or groups but have the same effect of creating a negative or hostile environment; or

- xii. Retaliation or threats of retaliation against an individual who reports harassment.
- b) Refrain from any behavior that constitutes sexual harassment, where sexual harassment is defined as unwelcome sexual comments, advances or conduct of a sexual nature.
- c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
- d) In the case of adults, avoid consuming alcohol in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcoholic beverages in adult-oriented social situations associated with OCPSA events.
- e) Respect the property of others and not willfully cause damage.
- f) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods.
- g) Comply at all times with the Constitution, Bylaws, policies, rules and regulations of OCPSA, as adopted and amended from time to time.

## **Confidentiality**

12. OCPSA 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. OCPSA recognizes the interests of both the complainant and the respondent in keeping the matter confidential, except where such disclosure is required by law.