



Harassment and Discrimination Policy June 2021

1. Canmore Nordic Ski Club (CNSC) is committed to providing opportunities for every individual involved in the sport of cross-country skiing, including biathlon, to enjoy the benefits of participation – be they related to recreation, social interaction, physical fitness, competition, volunteerism or employment. As such, CNSC is committed to providing an environment in which every individual is treated with respect and dignity.
2. Every CNSC member has the right to participate in the sport free from discrimination. CNSC strictly prohibits unlawful discrimination, including discrimination on the basis of race, colour, national place of origin, ancestry, sex (including pregnancy), religious beliefs, age, physical or mental disability, sexual orientation, gender identity or expression, family or marital status, or any other ground or characteristic protected under applicable provincial/territorial human rights legislation (“Protected Characteristics”).
3. Harassment is a type of discrimination. It is prohibited by the Canadian Charter of Rights and Freedoms and by human rights legislation in every province and territory of Canada. In its most extreme forms, harassment can be an offence under Canada’s Criminal Code. Harassment can also be a result of bullying. CNSC is committed to a sport and work environment that prohibits discriminatory and bullying practices. Harassment and bullying are unacceptable and will not be tolerated.

Aim

4. The aim of this document is to state the CNSC policy on harassment and describe how it will be implemented. Harassment is offensive, degrading and threatening.
5. The Harassment and Discrimination Policy is in place to protect all employees, directors, officers, volunteers, coaches, athletes, officials, and members of CNSC from a hostile sport and working environment by creating a process through which individuals can report incidents of alleged harassment and these incidents can be investigated and addressed appropriately.

Definitions

6. Discrimination
 - a. This policy addresses discrimination as contemplated by the applicable provincial/territorial human rights legislation. Under this policy, “discrimination” is differential treatment on the basis of Protected Characteristics. Discrimination may also be found where a requirement, qualification or factor exists that is not discriminatory on its face but results in the exclusion, restriction or preference of a group of persons who are identified by a prohibited ground of discrimination, and cannot be demonstrated to be reasonable and justified in the circumstances.
7. Bullying and Harassment
 - a. Harassment may relate to a form of discrimination set out in human rights legislation, but it does not have to. Discriminatory harassment includes harassment related to race, sex, religious creed, colour, national origin, ancestry, disability or medical condition or age.
 - b. Bullying and harassment are any behaviour that demeans, embarrasses, humiliates, or verbally abuses a person and that is known or would be expected to be known to be unwelcome. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.
 - c. Prohibited conduct includes but is not limited to the following behaviours:
 - i. written or verbal abuse or threats, including swearing;
 - ii. intimidating conduct or gestures;
 - iii. unwelcome remarks, jokes, taunts;
 - iv. unwelcome physical contact;
 - v. vandalism of personal property;
 - vi. abuse of authority which undermines performance or threatens an individual's career;
 - vii. racial, religious or ethnic slurs;
 - viii. practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
 - ix. physical or sexual assault;
 - x. unwelcome sexual flirtations, advances, requests for sexual favours, or invitations, whether indirect or explicit;
 - xi. unwelcome comments, innuendo, taunting, or questions about a person's looks, body, attire, age, race, religion, sex, sexual orientation, or sex life;
 - xii. displays of pornographic, racist or other offensive or derogatory material;
 - xiii. leering, whistling, or other suggestive or obscene gestures;
 - xiv. condescending, paternalistic or patronizing behaviour which undermines self esteem, diminishes performance, or adversely affects the environment.
 - xv. sexual harassment may be directed at registrants of the same sex or the opposite sex.

Note:

It is recognized that there may be a certain amount of physical contact inherent in coaching athletes. Such contact may be related to teaching a new skill, spotting or other safety issues. This type of physical contact is not considered to be harassment, providing that it is welcomed by the athlete. If the athlete indicates that the contact is unwelcome, it must stop; otherwise, it will be considered harassment.

Supervisors have the right to manage the workplace in accordance with governing legislation, employment agreements and policies. Similarly, in sport, coaches have the right to manage their team in accordance with governing athlete agreements and policies. This includes imposing corrective and/or disciplinary measures, evaluating and managing performance, managing attendance, approving absence requests, among other things. However, the authority conferred upon those designated to manage the workplace or the team is not limitless and supervisors must exercise their authority legitimately and in good faith.

Reprisal/Retaliation

8. Reprisal/retaliation is defined as action or behaviour directed toward an individual who has complained of being harassed, who has reported witnessing harassment or who has otherwise been involved in a harassment complaint or investigation. Reprisal/retaliation is generally initiated with the intent to intimidate, threaten, humiliate, exact revenge or adversely affect the performance or working conditions of an individual.

Reprisal/retaliation may include, but is not limited to, situations in which an individual involved in a harassment proceeding is:

- a. improperly denied or threatened with the withholding of promotion, advancement, training or other related opportunities or benefits (e.g. team selection); or
- b. improperly disciplined or threatened with disciplinary action, or dismissed or threatened with dismissal.

General Policy Regarding Harassment

9. CNSC will not tolerate or condone any form of harassment, including reprisal/retaliation.
10. CNSC will take proactive measures to prevent or discourage harassment within the Club.
11. Individual members of CNSC who perceive that they have been harassed will be provided with assistance and have the right to seek redress within the Club without fear of reprisal/retaliation. Members who perceive that they have been harassed

retain the right to seek assistance externally, including recourse to provincial or territorial human rights commissions, even when action has been initiated within the Club.

12. Complaints will be addressed in a sensitive, responsible and timely fashion, with due regard to confidentiality.

Policy Jurisdiction and Application

13. Harassment complaints shall be addressed at the club level where possible, otherwise the complaint will be immediately passed on to Nordiq Alberta. Should Nordiq Alberta not have an adequate policy in place or capacity to address a complaint, the complaint will be immediately passed on to Nordiq Canada.
14. Members, including CNSC Board, committee members, staff, coach, event officials or other persons in authority who witness behaviour that may constitute harassment, or who otherwise become aware that harassment may be taking place, are required to report the behaviour. CNSC encourages the reporting of all incidents of harassment and bullying.

Complaint Procedure

15. A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to CNSC policy.
16. If the behaviour being reported is perceived as discrimination, the complainant may also make a complaint directly to the province or territory's Human Rights Commission (or related body).
17. If confronting the harasser is not possible, or if after confronting the harasser, the harassment continues, the complainant or third party who is reporting an incident, should direct a complaint to one or more of the President, Vice-President, Treasurer or Secretary of CNSC. The Board of Directors of CNSC are responsible for the execution of this policy.
18. Duties of the Board of Directors are to:
 - a. Refer any instance to law enforcement in which the victim of an assault, or any other possible criminal code violation, is a minor.
 - b. Initiate adjudication of any complaint in accordance with the General Grievance Procedure detailed in CNSC's Dispute Resolution Policy.
19. If resolution of the complaint is not possible at a club level, the complainant or third party who is reporting an incident, should contact the Nordiq Alberta or Nordiq Canada Independent Third Party (ITP) complaint receiver to report the complaint and understand the investigation process.