



Organization Name	St. Catharines Rowing Club
Document Title	Workplace Harassment Procedure
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Background

The St. Catharines Rowing Club, hereinafter referred to as “the Club”, is committed to providing a work environment in which all workers are treated with respect and dignity. Please see the Workplace Harassment Policy for more information on the Club’s commitment to creating an environment free from any form of harassment. The workplace harassment program applies to all individuals associated with the club who encounter a harassment situation as defined in the policy.

Workplace harassment will not be tolerated from any person in the workplace.

Definitions

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known, to be unwelcome, or workplace sexual harassment. This could include, but is not limited to, annoying or irritating comments or conduct, or invasions of personal space.

Workplace sexual harassment means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known, or ought reasonably to be known, to be unwelcome;
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows, or ought reasonably to know, that the solicitation or advance is unwelcome.

Reasonable action means action(s) taken by the employer or supervisor relating to the management and direction of workers or the workplace. Reasonable action is not workplace

harassment. This could include, but not limited to, scheduling of work, monitoring of work, and performance reviews.

Reporting Workplace Harassment

The Club encourages anyone who experiences workplace harassment to formally report the incident. No one will be penalized in any way for reporting incidents of workplace harassment.

1. How to Report Workplace Harassment

Workers can report incidents of workplace harassment verbally or in writing. When submitting in written form, please use the Workplace Harassment/Violence Incident Form (see attachment). When reporting verbally, the reporting contact, along with the individual reporting the harassment, will fill out the incident form.

The report of the incident should include the following information:

- a) Name(s) of the person who has allegedly experienced workplace harassment and contact information;
- b) Name of the alleged harasser(s), position and contact information (if known);
- c) Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known);
- d) Details of what happened including date(s), frequency, nature of incident, and location(s) of the alleged incident(s);
- e) Any supporting documents the complainant may have in his/her possession that are relevant to the complaint;
- f) List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

2. Receipt of the Workplace Harassment Report

An incident of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner. Report a workplace harassment incident to the President of the Club. If the President is the person engaging in the workplace harassment, contact any other member of the Club's Board of Directors who are prepared to assist you in your complaint.

The President (or member of the Board of Directors) shall be notified of the workplace harassment incident so that he/she can ensure an investigation is conducted that is appropriate in the circumstances. If the incident involves the Club President or a member of the Board of Directors, an external person qualified to conduct a workplace harassment investigation, who has knowledge of the relevant workplace harassment laws, will be retained to conduct the investigation.

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the incident, to take corrective action or otherwise as required by law.

Investigation of Workplace Harassment Complaint

1. Commitment to Investigate

The Club will ensure that an investigation appropriate in the circumstances is conducted when the Club President or a Board member becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

2. Appointment of Investigator

The Club President will determine who will conduct the investigation into the incident or complaint of workplace harassment. If the allegations of workplace harassment involve the President or a member of the Board, the Club will refer the investigation to an external investigator to conduct an impartial investigation.

3. Timing of the Investigation

The investigation will be completed in a timely manner and generally within 90 days or less, unless there are extenuating circumstances warranting a longer investigation period (i.e., illness, complex investigation).

4. Investigation Process

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

- a) The investigator will ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- b) The investigator will thoroughly interview the employee/volunteer who allegedly experienced the workplace harassment and the alleged harasser(s) if the alleged harasser is an employee or volunteer of the Club. If the alleged harasser is not an employee or a volunteer of the Club, the investigator will make reasonable efforts to interview the alleged harasser.
- c) The alleged harasser(s) will be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.

- d) The investigator will interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator will make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
- e) The investigator will collect and review any relevant documents.
- f) The investigator will take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.
- g) The investigator will prepare a written report summarizing the steps taken during the investigation, the complaint, and the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

5. Results of the Investigation

Within 10 days of the investigation being completed, the employee or volunteer who allegedly experienced the workplace harassment and the alleged harasser, if he or she is an employee or volunteer of the club, will be informed in writing of the results of the investigation, and any corrective action taken or that will be taken by the employer to address workplace harassment.

Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or with other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation. All records of the investigation will be kept confidential.

Handling Participants During Complaints

In the time frame after a complaint is received until the investigation report is received, interim measures will be considered and taken if necessary. The President of the Club, or his/her designate, based on the position of the alleged harasser, will work with both the employee or volunteer who allegedly experienced the workplace harassment and the alleged

harasser, if he or she is an employee or volunteer of the club, to determine if an alternate work situation needs to be put into place. This could include, but is not limited to, a change in reporting structure, alternate work location or not serving a specific customer/club/sponsor. It may be necessary for work separation of the two parties during the period of investigation. Neither the complainant nor the respondent shall suffer any penalty in his/her work during the period of separation.

During the period of investigation, the complainant shall not be compelled to attend a joint meeting. Either party may request that an individual (who is not legal counsel) accompany them to the investigation meetings for support. The companion can only act as a silent witness.

Where the investigation finds that harassment arises from an employee, supervisor, or other person associated with the workplace, there will be consequences for the individual. Examples of possible consequence could include, but are not limited to, apologies, education, counseling, shift changes, reprimands, suspension, job transfer, or termination depending on the nature or severity of the behavior and the circumstances.

Record Keeping

The Club will keep records of the investigation including:

- a) a copy of the complaint form and details about the incident;
- b) a record of the investigation including notes;
- c) a copy of the investigation report (if any);
- d) a summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
- e) a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

Records will be kept for a minimum of three years.

This procedure will be reviewed regularly and revised if needed by the Board of Directors, to ensure best practices are in place.

Attachment

Workplace Harassment/Violence Incident Form

<u>Links to Other Documents</u>	SCRC Health and Safety Policy SCRC Workplace Harassment Policy SCRC Violence in the Workplace Prevention Policy and Procedure SCRC Code of Conduct and Ethics (Safe Sport Policy Manual)
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St. Catharines Rowing Club
Workplace Harassment/Violence Incident Form

This form can be used to report allegations of any form of workplace harassment or workplace violence. If you chose not to use this form, please do your best to include all factual and relevant information in a report. This form is to be submitted to the Club President or designate or any Board Member as appropriate. As part of the investigation process into this incident, details of this complaint as indicated on this form may be shared with the individual(s) involved.

Name and Contact Information of worker/volunteer/employee who has allegedly experienced workplace harassment or violence:

Name and Contact Information of alleged perpetrator(s) of workplace harassment or violence if known:

Details of the Incident(s) of Workplace Harassment or Violence. Please describe the incident(s) in as much detail as possible, including: (a) the names of the parties involved; (b) any witnesses to the incident; (c) the location, date, time of the incident(s); (d) details of the incident(s) including physical actions and verbal interaction. Attach additional pages if required.

Relevant Documents and Evidence of Incident(s): Attach any supporting documents, emails, handwritten notes or photos. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are unable to attach documents that are relevant, please list the documents below. If someone other than yourself has relevant documents, please note the documents and individuals below.

Signature: _____ Date: _____

