

**POLICY: MEMBERSHIP HARASSMENT, BULLYING AND DISCRIMINATION**

**EFFECTIVE DATE:** August 20, 2015

**REVISED:** July 17, 2015

**POLICY STATEMENT**

1. Skate Canada is committed to providing a skating environment in which all individuals are treated with respect and dignity. Each individual has the right to participate in a respectful environment free from bullying, harassment and discrimination.

**DISCRIMINATION**

2. Every Skate Canada registrant is entitled to participate free from discrimination. Skate Canada 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 human rights legislation (“Protected Characteristics”).
3. This policy addresses discrimination as contemplated by the applicable provincial 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.

**BULLYING AND HARASSMENT**

4. 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, color, national origin, ancestry, disability or medical condition or age.
5. 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. Prohibited conduct includes but is not limited to the following behaviours:
  - (a) written or verbal abuse or threats, including swearing;
  - (b) intimidating conduct or gestures;
  - (c) unwelcome remarks, jokes, taunts;
  - (d) unwelcome physical contact;
  - (e) physical or sexual assault;
  - (f) vandalism of personal property;

- (g) abuse of authority which undermines performance or threatens an individual's career;
  - (h) racial, religious or ethnic slurs;
  - (i) practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
  - (j) unwelcome sexual flirtations, advances, requests for sexual favours, or invitations, whether indirect or explicit;
  - (k) unwelcome comments, innuendo, taunting, or questions about a person's looks, body, attire, age, race, religion, sex, sexual orientation, or sex life;
  - (l) displays of pornographic, racist or other offensive or derogatory material;
  - (m) leering, whistling, or other suggestive or obscene gestures;
  - (n) condescending, paternalistic or patronizing behaviour which undermines self-esteem, diminishes performance, or adversely affects the skating environment.
6. Sexual harassment may be directed at registrants of the same sex or the opposite sex.
7. This repetitive improper behaviour is insulting, intimidating, humiliating, malicious, degrading, or embarrassing. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.

#### **APPLICATION OF THIS POLICY**

8. This policy applies to all registrants of Skate Canada, including officials, coaches, athletes, volunteers, section Board of Directors, club Board of Directors, and the Skate Canada Board of Directors. Skate Canada encourages the reporting of all incidents of harassment, regardless of who the offender may be.
9. This policy applies to discrimination, bullying and harassment which may occur at or during the course of any Skate Canada business or skating activity or event (including business or skating activities or events of registrant organizations). It also applies to prohibited conduct occurring outside of those situations, when the harassment or bullying is occurring between persons covered by this policy, and the conduct adversely affects the Skate Canada skating environment.
10. Every registrant of Skate Canada has a responsibility to play a part in ensuring that Skate Canada's skating environment is respectful and free from discrimination, bullying and harassment. This means not engaging in, allowing, condoning, or ignoring behaviour which is contrary to this policy. In addition, any registrant of Skate Canada who believes that a fellow registrant of Skate Canada has experienced or is experiencing harassment is encouraged to notify Skate Canada.

## **COMPLAINTS**

11. An individual who believes he or she has been harassed has the right:
  - (a) to file a complaint under Skate Canada's Membership Complaints Policy, without fear of embarrassment or retaliation; and
  - (b) to contact the appropriate provincial human rights commission directly, if desired.

## **CONFIDENTIALITY**

12. Skate Canada understands that it can be extremely difficult to come forward with a complaint of discrimination, bullying or harassment, and that it can be devastating to be wrongly accused of such conduct. Skate Canada recognizes the interests of both the complainant and the respondent in maintaining confidentiality.
13. Skate Canada shall maintain all records in a confidential manner, except to the extent that disclosure of any of this information is necessary for the purposes of investigating the complaint, or taking disciplinary and corrective action in relation to the complaint, or is required by law.