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## Victoria City Rowing Club

# RESPECTFUL WORKPLACE POLICY

### Reference:

1. Human Rights Code of BC
2. Workers Compensation Act
3. Workplace requirements and Standards of Conduct
4. Victoria City Rowing Club Athlete Code of Conduct
5. Coaches Association of BC Harassment Policy
6. Canadian Charter of Rights and Freedoms

## **I POLICY AND OBJECTIVE**

Victoria City Rowing Club (VCRC) is committed to maintaining a work environment where all employees, members, officials and visitors are treated with respect and dignity, and are free from harassment and bullying. Respect is present in a place where everyone displays courteous, considerate and professional behaviour toward one another, and during their interactions with members of the public. The Board recognizes that employees and all those who have access to this policy need to understand what does and does not constitute harassment and bullying and what processes are to be followed when an individual feels that they are being bullied or harassed in order to achieve a work environment free of bullying and harassment.

## **II SCOPE**

This policy applies to all VCRC members and employees including temporary employees, student employees, contractors and volunteers. All individuals are accountable for their own behaviour and must conduct themselves in a professional, respectful, and courteous manner whilst representing VCRC in any capacity. Parents and the public who have contact with VCRC share the same responsibilities and enjoy the same protections as employees in terms of their experiences at VCRC. The Board therefore expects the relations between employees and all those they come in contact with to be free from any behaviour that can be identified as being personally or sexually harassing or

bullying in nature. Such behaviour is also unacceptable and will not be tolerated.

The Occupational Health and Safety (OHS) regulations issued by WorkSafe BC in 2013 define bullying and harassment as a single term. For purposes of this policy, harassment shall be defined as follows:

### III **DEFINITIONS**

Victoria City Rowing Club regards harassment and bullying as serious offenses which undermine its ability to provide a respectful workplace and environment for all.

#### 1. Personal Harassment

Personal harassment is defined as any ongoing behaviour consisting of offensive comments or actions which demean, belittle, intimidate or cause personal humiliation or which undermines a person's health or job performance; or which endanger a person's status or potential. Some examples include:

- unwanted remarks, jokes or innuendos or taunting;
- displaying offensive or derogatory pictures;
- behaviour which may be considered discriminatory under the Human Rights Code of BC.
- any improper behaviour that is directed at or offensive to another person, is unwelcome, and which the person knows or ought to reasonably know would be unwelcome
- objectionable conduct, comment or materials or display that demeans, belittles, intimidates, or humiliates another person
- the exercise of power or authority in a manner which serves no legitimate work purpose and which a person ought reasonably to know is inappropriate
- such misuses of power or authority as intimidation, threats, coercion and blackmail.

#### Bullying

Bullying is one component of personal harassment and is defined as deliberate, repeated, disrespectful behaviour toward another person that is seldom overt or obvious. More extreme forms of bullying include physical threats of violence.

Bullying usually presents as a series of patterns of incidents that often escalate over time, but it can also involve one single, serious incident. Bullying is specifically addressed under the Workers' Compensation Act of British Columbia.

## 2. Sexual Harassment

Sexual harassment is defined as any behaviour which is based upon the prohibited ground of sex or sexual orientation, which undermines health or job performance or endangers any employment status or potential. Some examples include:

- Sexual advances with equal or implied work-related consequences
- Unwelcome remarks, questions, jokes or innuendo of a sexual nature
- Leering, staring or making sexual gestures
- Unwanted physical contact eg. Touching, patting, pinching or hugging
- Display of pornography or other sexual materials
- any comment, look, suggestion, physical contact, or real or implied action of a sexual nature which creates an uncomfortable working environment for the recipient, made by a person who knows or who ought reasonably to know such behaviour is unwelcome
- any circulation or display of visual material of a sexual nature that has the effect of creating an uncomfortable working environment
- an implied promise of reward for complying with a request of a sexual nature
- a sexual advance made by a person in authority over the recipient that implies a threat or an expressed or implied denial of an opportunity which would otherwise be granted or available, and may include a reprisal or a threat of reprisal made after a sexual advance is rejected.

Sexual harassment is specifically addressed under the Human Rights Code of BC

### 3. Complainant:

A person who has brought forward a complaint under this policy

### 4. Respondent:

A person who is alleged to have engaged in the behaviour as described by the complainant

## **IV ROLES AND RESPONSIBILITIES**

It is the responsibility of every person covered by this policy to engage in respectful behaviour. Should disrespectful behaviour be observed, it should be reported to the appropriate coach and the club manager. The requirement to report bullying immediately is legislated by the Workers' Compensation Act of BC.

### 1. The VCRC Board

Approves the Policy and Procedure.

### 2. VCRC Board Personnel Committee

Maintains an effective Respectful Workplace Policy and related procedures.

### 3. Club Manager

- (a) Administers the policy within Victoria City Rowing Club;
- (b) Advises all parties, employees, volunteers and contractors in the correct and consistent application of the Policy and Procedures;
- (c) Ensures documentation related to investigations are held in confidence in a separate file as outlined by this policy;
- (d) Coordinates access to Respectful Workplace programs and support;
- (e) Facilitates access to third party mediation and formal investigation when required and deemed appropriate;
- (f) Ensures that all VCRC representatives are familiar with the Respectful Workplace Policy;
- (g) Recommends changes in policy and procedures;
- (h) Encourage involvement in respectful work place practises; and
- (i) Assists all staff in matters pertaining to the Respectful Workplace Policy

### 4. Employees, contractors, VCRC members, athletes, visitors and members of the public

All persons have a responsibility to ensure that the workplace is free from discrimination, harassment and bullying. This means not engaging, condoning or ignoring inappropriate behaviour and reporting such behaviour as outlined in this policy.

## **V PROCEDURE**

The Victoria City Rowing Club supports the maintenance of a Respectful Workplace by providing:

- (a) a process of informal resolution of respectful workplace complaints; and
- (b) a process of formal resolution including reporting, investigating and determining the appropriate response to respectful workplace complaints, which may include, but not be limited to discipline.

Details of the two procedures noted above may be found in the Respectful Workplace Procedures document. Constructive processes to manage and resolve disrespectful workplace complaints are provided.

## VI **FABRICATED OR FRIVOLOUS COMPLAINTS**

A COMPLAINT UNDER THE Policy is considered to be a serious matter and respondents will be subject to exploration and/or investigation of the merits of the complaint. Where a complaint is found to be fabricated or frivolous the complainant will be held accountable and be subjected to discipline.

## VII **CONFIDENTIALITY**

All written file material will be kept in a confidential file in the club manager's office. Any written agreements signed by the parties to a dispute will remain confidential to only those parties and will not be shown, circulated or discussed with any other parties.

## VIII **REPORTING PROCEDURES**

### 1. How to Report

Club members, employees including temporary employees, student employees, contractors and volunteers can report incidents or complaints of workplace bullying and harassment verbally to the Club Manager or in writing to the VCRC Personnel Committee via [vcrchumanresources@gmail.com](mailto:vcrchumanresources@gmail.com). When submitting a written complaint, the workplace bullying and harassment complaint form will be supplied and must be completed. When reporting verbally to the Club Manager, the Club Manager will assist the complainant with the form.

On receipt of the complaint, the Club Manager will undertake a preliminary investigation to make a determination as to whether the complaint falls within the definitions of harassment and bullying and warrants further investigation.

In the event that the Club Manager determines that the complaint does not fall within the definition, the complainant will be so notified in writing. The person against whom the complaint of harassment or bullying has been made will also receive written notification of that determination. Appeals from a decision of the Club Manager may be made, where deemed necessary by contacting the President of the Victoria City Rowing Club

2. When to report

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident.

3. Reporting Contact

A complaint of personal or sexual harassment or bullying must be made in writing to the Club Manager.

4. Alternate Contact

If the complaint is against the Club Manager, the complaint must be made in writing to the Personnel Committee who will follow the procedures outlined in this policy as far as is possible.

5. The Report

In order for the process to be effective, include as much information as possible in the report such as the names of the individuals involved, any witnesses, the location of the event, where and when the event occurred and a description of the behaviour that led to the complaint. Attach any documentation or physical evidence relating to the incident.

## COMPLAINT FORM

Name and contact information of complainant:

Name of the individual/individuals accused of bullying:

### Personal Statement

Please describe in as much detail as possible the incident and include:

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date and time of the incident(s)
- details about the incident(s) (behaviour and/or words used)
- any additional details that would help with an investigation

Attach any supporting documentation such as E mails, handwritten notes or photographs, any physical evidence

Signature:

Date:

## Investigation Procedures/Outcome

1. Most investigations will be conducted internally unless it is determined that an external investigator is required. If the Club Manager determines that the complaint falls within the definition of bullying or harassment, he or she will:  
Investigative procedures will:
  - notify the Personnel Committee that a complaint is to be further investigated;
  - notify the complainant of his/her determination of the complaint;
  - notify the person against whom the complaint has been made, providing a general statement about the nature of the complaint;
  - Complaints will be dealt with as quickly as possible and will conform to any requirements contained within personal service contracts, or contracts of employment and WorkSafe BC regulations.
  - be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
  - be sensitive to the interests of all parties involved and maintain confidentiality
  - conduct thorough interviews which include the complainant, respondent and any witnesses
  - be focused on finding relevant information/facts
  - assist the complainant or respondent, when requested, during the investigation process
2. Investigations will include interviews with the affected parties and the review of all evidence.
3. The Club Manager/Personnel Committee representative is responsible for ensuring workplace investigation procedures are followed.
4. There is an expectation that members and employees will provide details of the incident in question complete with any documentation.
5. A report will be written and submitted to the VCRC Personnel Committee
6. In the event external investigators are hired the final report will be presented to the VCRC Personnel Committee.
7. The VCRC Personnel Committee will present the report to the board with a recommendation.
8. The VCRC Personnel Committee will impart the decision to the complainant(s) and the individual(s) involved.

### **Notes:**

- At any time during the course of the investigation the parties may reach resolution or settlement of the matter. Where both parties agree, mediation may be used to facilitate resolution. Any resolution or settlement agreement reached shall be put in writing and signed by both parties. At this point, the process may be discontinued.
- Confidentiality shall be kept by all those involved at all stages of the complaint investigation and subsequent processes.
- No one covered by this policy shall be subject to reprisal, threat of reprisal or discipline for making a complaint that the individual reasonably believed to be valid.