

# **Foothills Swim Association/University of Calgary Swim Club**

## **UCSC Anti - Harassment Policy**

**As adapted from Swimming/Natation Canada Harassment Policy<sup>1</sup> and approved by  
UCSC Board of Directors February 25, 2004**

### **Policy Statement:**

The Bylaws of the Foothills Swim Association apply to this policy and all hearings, appeals, assessments and the like. The Foothills Swim Association, known and identified hereinafter as the University of Calgary Swim Club (UCSC) encourages and expects every member, employee, parent and volunteer to treat one another with courtesy and respect. Any of the above who truly believe themselves to have been the subject of harassment contrary to this policy is encouraged to file a complaint as provided for in this policy. Any such complaint will be treated with the gravity it merits.

UCSC is dedicated to providing a harassment free environment where individuals can work towards their potential regardless of:

Race	Ancestry
Religious beliefs	Place of Origin
Colour	Marital status
Gender	Source of income
Physical or mental disability	Family status
Age	Sexual orientation <sup>2</sup>

Harassment is prohibited by Alberta Human Rights legislation<sup>3</sup>; it is often seen in the form of stereotyping, prejudice and discrimination, it is offensive, degrading and often threatening. In its most extreme forms, harassment can be an offence under Canada's Criminal Code. UCSC is committed to providing a sport and work environment, which promotes equal opportunities, based upon merit and prohibits discriminatory practises or reprisal that may arise as a result.

<sup>1</sup> **Swimming/Natation Canada** developed a National policy on Harassment that exists as a living document. This policy is the basis for the UCSC Policy. Much of the UCSC policy is the same as the 2003 revised version. Changes have been applied to the format and the complaint process to suit the structure of UCSC and to accommodate the Alberta Human Rights Legislation. Copies of the Swimming/Natation Canada Harassment Policy can be received upon request or found on their Web site

<sup>2</sup> Alberta Human Rights and Citizenship Commission, Further review of the Alberta Human Rights Commission Policy can be found on their web site, <http://www.albertahumanrights.ab.ca/>

<sup>3</sup> Dido

## UCSC– Anti Harassment Policy

### Policy Statement:

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UCSC encourages the reporting of all incidents of harassment regardless of who the offender may be. UCSC will maintain confidentiality of all individuals involved in a harassment complaint to the extent possible, while not interfering with the investigators (s') ability to pursue the facts or the UCSC Board of Directors' ("Board") ability to discharge its responsibilities. Results of the investigation may, at the discretion of the Board, be disclosed to club members and, if required, passed on to the appropriate legal channels. The investigators notes will not at any point be made available to any club member other than the investigator, the mediator and Board if required, the complainant and the respondent. All closed harassment files shall be held in confidence in a locked file at the club office with the Team Manager. The board may request an overview of the incident but may not be allowed to review investigator's notes unless either the complainant or the respondent request an appeal of the investigation procedure and decision.

### Definitions of Harassment:

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- i. Harassment can generally be defined as comment or conduct, directed toward and individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive.<sup>4</sup>
- ii. For the purposes of this policy, Sexual harassment is defined as unwelcome sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when:
  - Submitting to or rejecting this conduct is used as the bases for making decisions which affect the individual; or
  - Such conduct has the purpose or effect of interfering with an individual's performance; or
  - Such conduct creates an intimidating, hostile or offensive environment.

*(Behaviour, which is acceptable to both parties involved, such as flirtation, chit-chat or good-natured joking, would not be considered sexual harassment.)<sup>6</sup>*

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<sup>4</sup> Swimming/Natation Canada – Harassment Policy

<sup>5</sup> Dido

<sup>6</sup> Alberta Human Rights and Citizenship Commission – Information sheet  
<http://www.albertahumanrights.ab.ca/>

## UCSC– Anti Harassment Policy

**Harassment Definitions continued:**

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- iii. Race and Religious Harassment – Derogatory comments, taunts, threats, jokes, teasing or jeering about race, color, national or ethnic origins, or about adornments and rituals associated with cultural or religious beliefs: these are all forms of harassment, when they occur in the areas protected under the Act<sup>7</sup>
- iv. Stereotyping, Prejudice and Discrimination – **Stereotyping** is defined as creating an oversimplified, false or generalized portrayal of a group of people... **Prejudice** is defined as an opinion or judgment, frequently unfavorable, based on irrelevant considerations, inadequate knowledge or inaccurate stereotyping... **Discrimination** is defined as unjust practise or behavior, whether intentional or not, based on race, religious beliefs, color, gender physical and/or mental disability, marital status, family status, source of income, age, ancestry, place of origin or sexual orientation and which has a negative effect on any individual or group.<sup>8</sup>

In general the types of behavior which constitute harassment include, but are not limited to<sup>9</sup>:

- Written or verbal abuse or threats
- The display of visual material which is offensive or which one ought to know is offensive
- Unwelcome remarks, jokes comments, innuendo or taunting about a person's looks, body, attire, age, race, religion, sex or sexual orientation
- Leering or other suggestive or obscene gestures
- Condescending, paternalistic or patronizing behavior which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
- Unwanted physical contact including touching, petting, pinching or kissing
- Unwelcome sexual flirtations, advances, requests or invitations
- Physical or sexual assault

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<sup>7</sup> Alberta Human Rights and Citizenship Commission – Information sheet, <http://www.albertahumanrights.ab.ca/>

<sup>8</sup> Dido

<sup>9</sup> Swimming/Natation Canada - Harassment Policy 2003

## UCSC– Anti Harassment Policy

### Application:

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This policy applies to all categories of members in UCSC, as well as to all individuals engaged in activities with or employed by UCSC, including, but not limited to, athletes, parents, siblings, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees.

This policy applies to harassment which may occur during the course of all UCSC business, activities and events, including but not limited to: swim meets, training camps exhibitions, meetings and travel associated with these activities. It also applies to harassment between individuals associated with UCSC but out side of UCSC business and events when such harassment adversely affects relationships within UCSC's work and sport environment.

Harassment arising within the business, activities and events of UCSC and involving any category of member of UCSC shall be dealt with according to UCSC policy and procedures as approved by the Board.

### Definitions of Terms<sup>10</sup>:

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<b>Complainant:</b>	the person who experiences harassment and files a complaint pursuant to this policy. Any Member may consult the Harassment Officer at any time.
<b>Complaint:</b>	a written summary of the alleged harassment filed according to this policy.
<b>Respondent:</b>	the person against whom a complaint is made.
<b>Member(s):</b>	including, but not limited to, athletes, athletes siblings/parents/guardians, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees.
<b>Appeal:</b>	both the complainant and the respondent shall have the right to appeal the decision and/or disciplinary action as determined through investigation. A notice of request to appeal must be sent to the president of UCSC along with grounds of appeal within 14 days of receiving investigation results. Those appointed by the Board to review the full investigators report may decide to call upon a qualified outside professional if deemed necessary to review the appeal.

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<sup>10</sup> Swim Alberta Harassment Policy & Procedure 1998

**Grounds for appeal:** the Harassment Officer did not follow UCSC procedure; or the Harassment Officer was influenced by bias; or the disciplinary action was grossly unfair or unreasonable.

**Reprisal:** is a form of retaliation to an action or actions taken to either prevent or respond to harassment and may include situations in which a member is:

- \* Denied or threatened with denial of promotion, advancement, training or other related opportunities or benefits (e.g. Team selection);
- \* Disciplined or threatened with disciplinary action;
- \* Dismissed or threatened with dismissal.

<sup>11</sup> On the sole basis of rejecting the sexual advances of a person in authority who could, or who could be perceived to, have influence over swimming or work related decisions affecting the member;

or on the sole basis that an individual made a complaint of harassment; or participated in an investigation; or spoke out against an incident(s) of harassment.

### **Member’s Roles and Responsibilities:**

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All UCSC members, families of members, volunteers and staff are required to support this policy and actively contribute to create a healthy swim community and to the awareness of harassment prevention and elimination. This will be accomplished by:

- Respecting the individual rights of all concerned
- Upholding the principles of this policy by;
  - Exhibiting the behaviors which support the values of a healthy swim community ensuring all members are treated fairly, with dignity and respect
  - Communicating UCSC’s objective to create and maintain a harassment-free sport
  - Discouraging and preventing harassment within UCSC; and
  - Ensuring that the UCSC environment is free from harassment. This means not engaging in, allowing condoning, or ignoring behavior contrary to this policy. In addition, any member who believes that a fellow member has experienced or is experiencing harassment is encouraged to notify the harassment officer.<sup>12</sup>

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<sup>11</sup> Swim Alberta Harassment Policy & Procedure

<sup>12</sup> Dido

## UCSC– Anti Harassment Policy

### Harassment Officer Roles and Responsibilities

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To serve in a neutral, unbiased capacity and to receive complaints, assist in informal resolution of complaints and investigate formal written complaints as provided for in this policy. In carrying out her/his duties under this policy, the harassment officer shall be directly responsible to the UCSC Board through the president. UCSC shall assist harassment officers to receive appropriate training and support for carrying out these responsibilities under this policy. Responsibilities include but are not limited to:

- discouraging and endeavouring to prevent harassment within UCSC;
- coordination and facilitation of education, awareness and relevant resources to foster a harassment-free swim community within UCSC;
- endeavour to ensure adequate resources are available and accessible to the membership;
- upon request, conduct the investigation of formal complaints of harassment in a sensitive, responsible, and timely manner;
- assist the membership, through appropriate facilitation, coaching and guidance, in providing education, awareness and the design of the club process to effectively deal with actual or potential harassment situations;
- provide advice to persons who experience harassment;
- recommending to the appropriate authority(ies) disciplinary or corrective measures when a complaint of harassment has been substantiated at the end of an investigation or mediation, regardless of the position or authority of the offender.
- annually reviewing the terms of this policy to endeavour to ensure that they adequately meet legal obligations and public policy objectives and recommending updates to the Board.
- report directly to the president of the Board and discuss position activities, recommendations and requirements on regular basis.
- Assist office administration regarding security clearance issues, endeavor to ensure they are handled in a timely manner, while maintaining the privacy and dignity of all individuals
- Handle all security clearance rejections

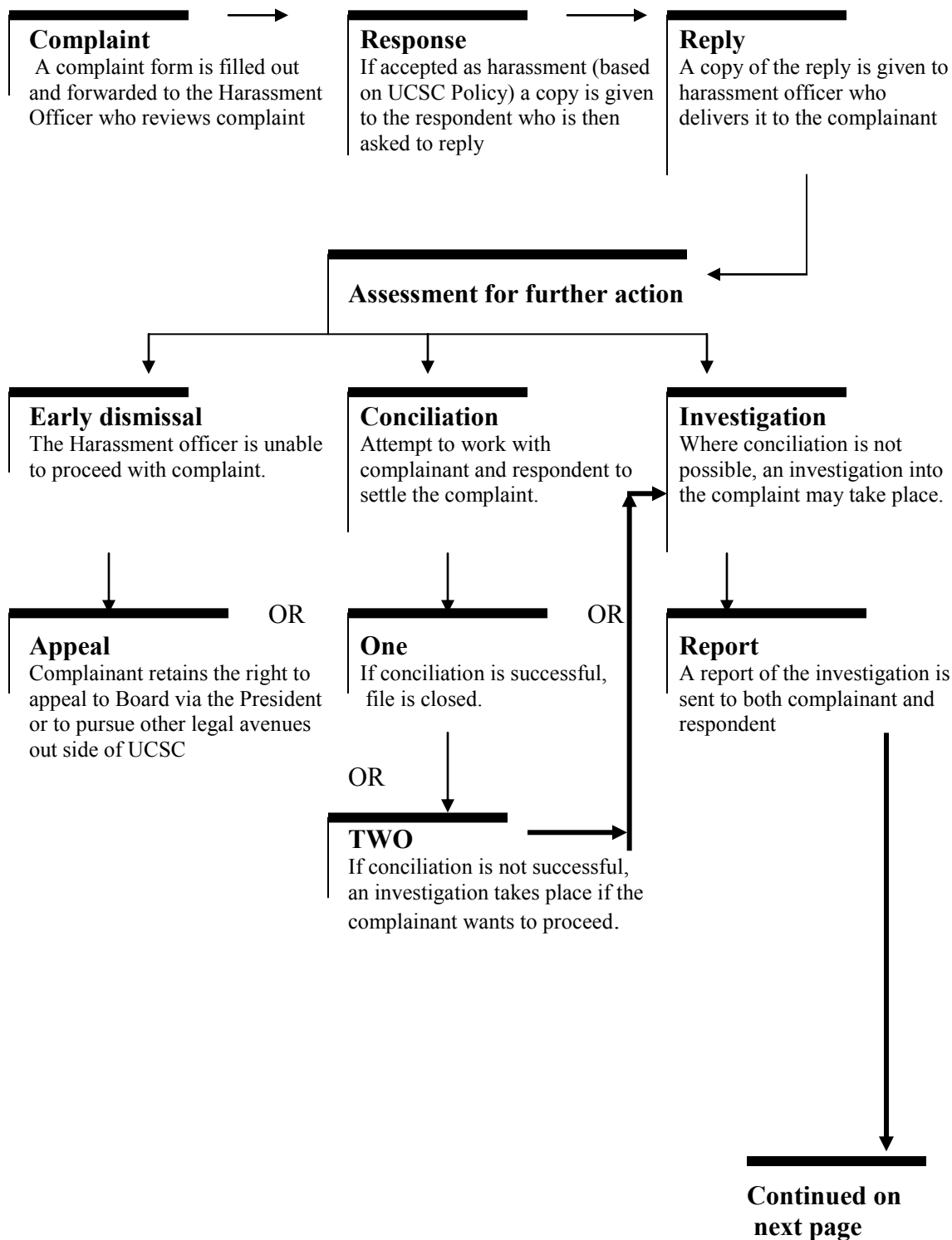
In the event the Harassment Officer or the President of the board are involved in a UCSC Complaint an impartial alternate investigator shall be appointed by the Board.<sup>13</sup> In the event of a formal complaint of physical or sexual assault - after the initial discussion with both parties and subject to Board approval, information may be turned over to outside investigators and/or the police. The volunteer harassment officer will not be responsible for investigations of physical or sexual assault. UCSC– Anti Harassment Policy

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<sup>13</sup> Interpreted from the Swim Alberta Harassment Policy and Procedure 1998

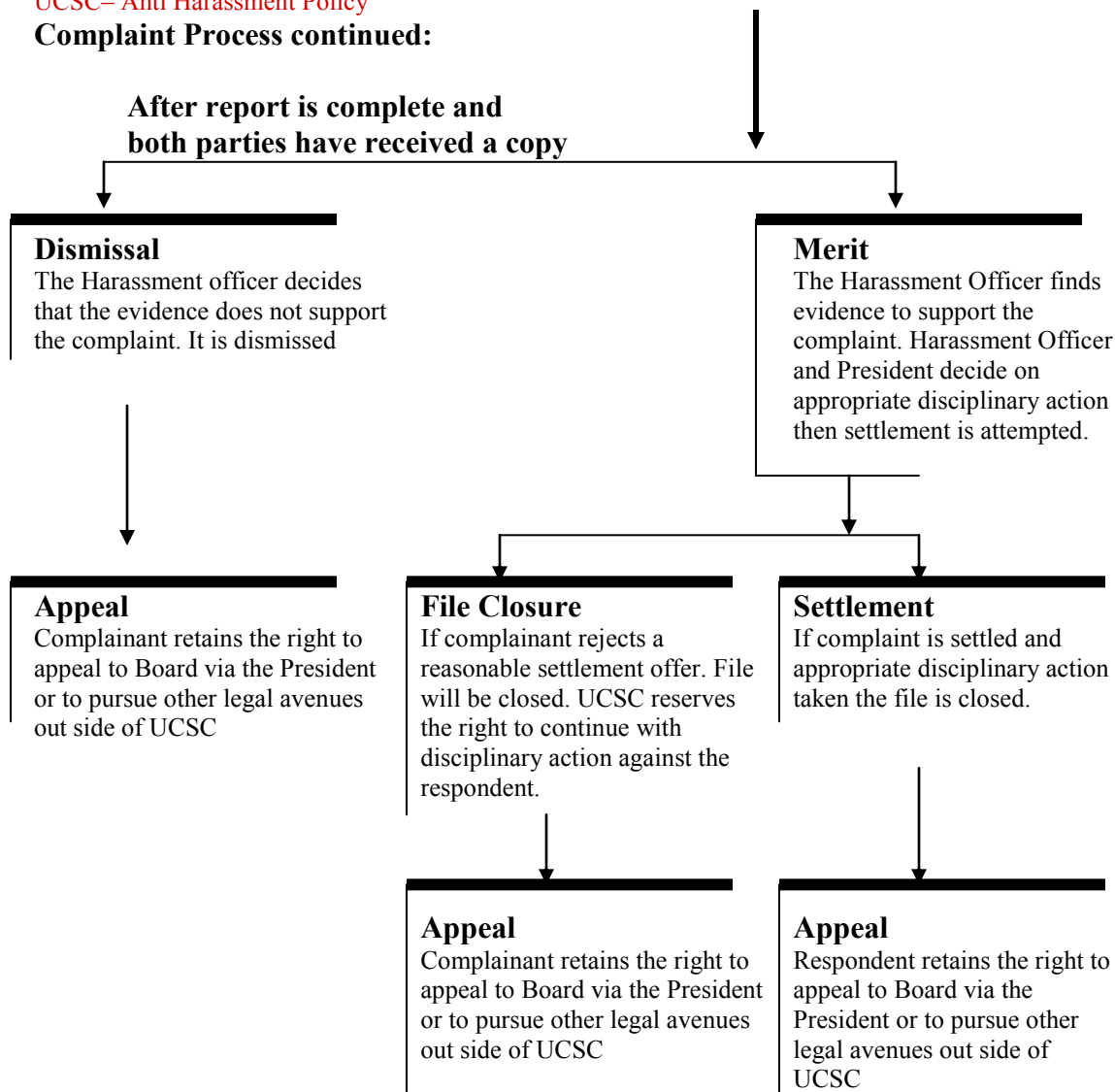
## Complaint Process

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UCSC– Anti Harassment Policy

**Complaint Process continued:**



This chart is to assist members of the University of Calgary Swim Club to understand the complaint process and only applies to complaints by members within the University of Calgary Swim Club and under the UCSC Anti Harassment Policy.



## UCSC– Anti Harassment Policy Complaint Form

**Complainant's Name:** \_\_\_\_\_.

Address:

Telephone:

Email:

Position with the Organization;

**Member**                          **Coach**                          **Other**      
**Staff**                            **Executive**                          \_\_\_\_\_

**Location & club group:** \_\_\_\_\_.

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**Respondent's Name:** \_\_\_\_\_.

If known...

Address:

Telephone:

Position with the Organization;

**Member**                          **Coach**                          **Other**      
**Staff**                            **Executive**                          \_\_\_\_\_

**Location & club group:** \_\_\_\_\_.

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**Type of harassment you feel has occurred, as defined by UCSC Anti Harassment Policy.**

**On paper that you attach:** In your own words describe the incident(s) as best you can. Try to provide as much information as possible while keeping to the facts. Please feel free to attach, as many pages as you feel are needed.

Where did harassment occur?

Provide dates and times.

Provide specific facts regarding incident.

Were you treated differently from others? How?

**UCSC– Anti Harassment Policy  
Complaint Form**

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**Please describe any actions that you have taken to try to resolve this problem to date:**

**What do you require to resolve this complaint?**

**To the best of your Knowledge are there any witnesses?\_\_\_\_\_.**

**If so:**

Name:

Address:

Phone:

Email:

Signature of Complainant

Date:

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As Per the UCSC Anti Harassment Policy, the Harassment Officer will hold all information in confidence. Pursuant to the policy information shall be shared with appropriate parties only as dictated by the complaint process. **Your signature confirms that you have been made aware and give permission for the above use of this information.**

Please detach this complaint form from the policy document and attach full description of the incident. Forward to UCSC Harassment Officer in an envelope sealed and marked “Confidential” to UCSC, KN A253, 2500 University Drive N.W., Calgary, AB T2N 1N4.

If you have any questions or concerns regarding the policy, procedures or individual complaint, feel free to contact the Harassment Officer by asking the UCSC Team Manager for her/his contact information.