



*Nova Scotia WTF Taekwondo Association*

# ***Policy Regarding Procedure and Harassment***

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## **OVERVIEW:**

The Nova Scotia TaeKwonDo Association is committed to providing a sport and competition environment where all individuals are treated with dignity and respect. Everyone has the right to participate and compete in an environment that promotes equal opportunities and prohibits discriminatory practices.

Every member of this organization has a responsibility to not engage in, condone, or ignore harassing behaviours. Any member who believes that another member is experiencing harassment is encouraged to notify the appropriate authorities as designated in this Policy.

Harassment is a form of discrimination and it is against the law. Harassment is prohibited by the Canadian Charter of Rights and Freedoms, and by human rights legislation in the Province of Nova Scotia.

The Nova Scotia TaeKwonDo Association is committed to providing a sport environment free of harassment on the basis of race, nationality, ethnicity, colour, religion, creed, age, gender, sexual orientation, marital status, disability, being in receipt of public assistance, or a pardoned conviction.

## **Definition**

Harassment is a form of discrimination, and refers to conduct based on a prohibited ground, that creates an insulting, intimidating or humiliating environment which the perpetrator knew or ought reasonably to have known would be unwelcome.

Harassment can take many forms. It may be verbal, physical, visual or psychological. It can include but is not limited to:

- Written or verbal abuse or threats;
- The display of racist, sexist or other offensive material;
- un-welcome remarks, jokes, comments, innuendo, or taunting about a person's looks, body, attire, age, intellectual ability, race, religion, gender, or sexual orientation;
- Leering or other suggestive, obscene gestures;
- Condescending, paternalistic, or patronizing behaviour which undermines self-esteem, diminishes performance, or adversely affects 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; or
- Physical or sexual assault (sexual or physical assault are criminal offences and the appropriate police authorities should be contacted)

### **Application**

This Policy applies to all employees, directors, officers, volunteers, coaches, athletes, officials, and members of the Nova Scotia TaeKwonDo Association. The NSTKDA encourages the reporting of all incidents of harassment, regardless of who may be the offender.

This Policy prohibits harassment that occurs during the course of all NSTKDA business, activities, and events, such as tournaments, clinics, competitions, practices and social events, etc.

### **Complaint Procedure**

#### **Informal Options**

A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive, and contrary to this Policy.

If confronting the harasser is not possible or the behaviour continues a person may wish to inform any of the following people who can speak informally to the alleged harasser as a means of resolving the problem, and who can provide you with additional information:

Chair Ethics and Discipline with copy to the Association Secretary/ Treasurer

#### **Formal Options**

If informal options are inappropriate or unsuccessful, an individual can file a formal written complaint with the Secretary of the NSTKDA, who will convene the executive of the board to review the case.

### **Dealing with a Complaint**

#### **Confidentiality**

The NSTKDA recognizes the interests of both complainant and respondent in keeping the matter confidential, except as necessary to investigate and resolve the situation.

The NSTKDA shall not disclose to outside parties the name of the complainant and respondent, or the circumstances giving rise to a complaint, unless such disclosure is required for a disciplinary or other remedial process.

## **Investigation**

An investigation shall be undertaken within 30 days. The alleged harasser will be notified immediately upon receipt of the complaint.

Both the complainant and respondent will be interviewed, along with any other individuals who may have information relevant to the situation.

## **Discipline**

If the investigation reveals evidence to support a complaint of harassment, the harasser will face appropriate discipline. The following options, singly or in combination, may be considered depending on the nature of the harassment:

- Verbal apology
- Written apology
- Letter of reprimand from NSTKDA
- Referral to counselling
- Loss of position on board of directors
- Expulsion from membership
- Legal charges

Because false accusations can have serious repercussions on innocent individuals, the wilful misuse of this policy may also be grounds for disciplinary action ranging from a reprimand to expulsion of membership, to criminal charges.

## **Documentation**

Where the investigation results in a finding of harassment, any documentation will be placed in the personnel or membership file of the respondent. Unless the findings are reversed upon appeal, this documentation shall be retained for a period of 3 years.

Where the investigation does not result in a finding of harassment, a copy of the documentation will be retained in NSTKDA files which are kept strictly confidential with access restricted to the following NSTKDA officials:

NSTKDA Executive

## **Retaliation**

Retaliation against any individual for reporting harassment, providing information or associating with someone who has filed a complaint or participated in an investigation will not be tolerated and will be treated as harassment.

## **Appeal Process**

Both complainants and respondents can appeal a decision on the grounds that procedures were not followed; investigators were biased in their review of the situation; or the investigation was inadequate.

The intent to appeal must be made in writing, within 14 days of the decision, and include the grounds on which the appeal is being made. The Discipline and Harassment committee will receive the appeal, assess its merits and make a decision whether to proceed within 14 days of its receipt.

### **Other Options**

Notwithstanding this policy, every person continues to have the right to file a complaint with the Human Rights Commission, or, if appropriate, to pursue criminal charges with the police.