

NSAWA HARASSMENT POLICY

Note: For convenience, this policy uses the term “complainant” to refer to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. The term “respondent” refers to the person against whom a complaint is made.

POLICY STATEMENT

NSAWA is committed to providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment which promotes equal opportunities and prohibits discriminatory practices.

Harassment is a form of discrimination. Harassment is prohibited by the Canadian Charter of Rights and Freedoms and by human rights legislation in every province and territory of Canada.

Harassment is offensive, degrading, and threatening. In its most extreme forms, harassment can be an offence under Canada’s Criminal Code.

Whether the harasser is a director, supervisor, employee, coach, official, volunteer, parent or athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another.

The NSAWA is committed to providing a sport environment free of harassment on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.

This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials, and members of NSAWA.

NSAWA encourages the reporting of all incidents of harassment, regardless of who the offender may be.

This policy applies to harassment which may occur during the course of all NSAWA business, activities, and events. It also applies to harassment between individuals associated with NSAWA but outside NSAWA business, activities, and events when such harassment adversely affects relationships within the NSAWA’s work and sport environment.

Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial or territorial human rights commission, even when steps are being taken under this policy.

DEFINITIONS

Harassment takes many forms but can generally be defined as comment, conduct, or gesture directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading, or offensive.

For the purpose 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 basis 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.

Types of behaviour which constitute harassment include but are not limited to:

- 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 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 harassment most commonly occurs in the form of behaviour by males toward females; however, sexual harassment can also occur between males, between females, or as behaviour by females toward males.

For the purposes of this policy, retaliation against an individual

- for having filed a complaint under this policy; or
- for having participated in any procedure under this policy; or
- for having been associated with a person who filed a complaint or participated in any procedure under this policy,

will be treated as harassment and will not be tolerated.

COMPLAINTS UNDER THIS POLICY

Complaints received under this Policy will be administered following the complaint and appeal process as laid out in the **NSAWA *Discipline and Complaints Policy***.