

MBAC Harassment Policy

OBJECTIVE

Master Bowlers' Association of Canada (MBAC) is committed to providing a safe and healthy environment for all MBAC members. Such an environment must be free from harassment and discrimination. All individuals have the right to be treated with respect and dignity.

PURPOSE

This policy is a guideline for action should a situation of harassment or discrimination become suspected or be brought forth.

Notwithstanding this policy, every person who experiences harassment continues to have the right to file a complaint with the appropriate authorities. their Provincial Human Rights Commission and/or law enforcement officials, even when steps are being taken under this policy.

SCOPE

MBAC is committed to providing a harassment free environment for all members, Directors, coaches, participants, officials, organizers and volunteers.

The MBAC is responsible for ensuring this policy is adhered to by all members of MBA Provincial and Territory Associations.

For the purposes of this policy, harassment may occur in the course of all MBAC business, activities, and events, including but not limited to:

- competitions;
- meetings, training sessions, and workshops;
- organization-related travel;
- telephone conversations;
- social functions;
- elsewhere, if the person harassed is present as a result of MBAC's members related responsibilities or relationships.

DEFINITIONS

According to Part II of the *Canada Labour Code* (the Code), harassment and violence means:

... any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.

This includes all types of harassment and violence, including sexual harassment, sexual violence and domestic violence.

1) **Harassment** could present itself as:

Behavior, repeated or pervasive, including comments, conduct or gestures which are insulting, intimidating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals; or which create an uncomfortable environment, or which might reasonably be expected to cause embarrassment, insecurity, discomfort or humiliation to a person or group, including, but not limited to:

- written, including on any social media platforms, or verbal abuse
- using the Internet to make sexual threats, or to harass or exploit someone sexually
- physical assault
- sexual assault (see below)
- intimidation, using inappropriate language towards another
- unwelcome remarks, jokes, innuendoes, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, and religion
- displaying of sexually explicit, racist or other offensive or derogatory material; sexual, racial, ethnic or religious graffiti
- practical jokes which cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance
- hazing or initiation rites
- leering or other suggestive or obscene gestures
- paternalism or patronizing behavior which undermines self-respect or adversely affects performance or working conditions
- persistently criticizing, undermining, belittling, demeaning or ridiculing someone
- false accusations of harassment, motivated by malice or mischief, meant to cause others harm.

2) **Sexual Harassment:**

One or a series of incidents involving unwelcome sexual advances, requests for sexual favours, or other verbal conduct of a sexual nature:

- when such conduct might reasonably be expected to cause embarrassment, insecurity, discomfort, offence or humiliation to another person or group;
- when submission to such conduct is made either implicitly or explicitly a condition of advancement;
- when submission to, or rejection of such conduct is used as a basis for any advancement decision; and
- when such conduct has the purpose or the effect of interfering with a person's performance or creating an intimidating, hostile or offensive environment.

PREVENTION

The MBAC is committed to the elimination of harassment through awareness and training. MBAC strongly recommends that members complete the harassment training programs offered through the *National Coaching Certification Program* such as *Safe Sport*.

ROLES & RESPONSIBILITIES

“Complaint” means the expression of grievance or concern, in regard to the conduct of any member(s) of the MBAC.

“Complainant” means any individual(s) presenting the complaint. The complainant(s) can be a victim of the alleged conduct or a witness to the alleged conduct.

“Respondent” means the MBAC member(s) against whom the complaint has been filed.

COMPLAINT RESOLUTION PROCESS

- 1) 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 resolution is not found or not possible:

- 2) The complainant can submit a written complaint to to the MBAC President or their MBA Province or Territory President or Team Manager (National Championship).

A written complaint must contain the following information:

- (a) name of complainant(s);
 - (b) name of the individual(s) against whom the allegation(s) is/are made (respondent);
 - (c) allegation(s) being made, including date(s), time(s), location(s) and clear and detailed description of events;
 - (d) all documentation which corroborates the allegation(s) made in the complaint;
 - (e) names of any other parties involved, if applicable.
- 3) The receiver of the complaint is responsible for ensuring that local authorities have been contacted as deemed necessary.
 - 4) The MBAC President or the MBA Province or Territory President, is responsible for conducting a hearing with an Investigating Committee comprised of, at a minimum, three members (for example, MBAC President and two (2) MBAC Board members).
 - 5) In all reported instances, a prompt and thorough investigation will take place considering the sensitivity of the issue and protecting the rights and dignity of all people involved.

- 6) **The Investigating Committee is responsible to:**
- be as objective and unbiased as possible;
 - do all they can to seek out the facts involved;
 - document all information accordingly;
 - identify and document any inconsistencies discovered;
 - assess all evidence from both sides of the issue;
 - decide if the respondent is:
 - guilty of the allegations, determine appropriate consequence(s); or
 - not guilty of the allegations, determine appropriate next steps.
 - share with local authorities any evidence collected by the Investigating Committee members, including a copy of the written complaint, as necessary;
 - share the decision of the Investigation Committee with the complainant(s) and the respondent.
- 7) A written copy of the Investigation Committee's decision will be shared with the member's MBA Province or Territory President.
- 8) Possible consequence(s) as determined by the Investigating Committee could be, but is not limited to:
- a verbal or written warning;
 - immediate suspension and removal from the Masters Tournament;
 - period of suspension from MBAC National Championships;
 - period of suspension from MBAC including their MBA Province or Territory Association;
 - permanent suspension from the MBAC and all MBA Provincial and Territorial Associations.
- 9) The right to appeal the decision of the Investigating Committee must be made in writing to the MBAC President or Province or Territory President within 30 calendar days of the date of the decision.
- 10) Should the harassment continue, the member could:
- submit a written complaint to their MBA Province or Territory President, who would forward to MBAC President, and an Investigating Committee would be formed, and steps as outlined above would be followed; and/or
 - file a complaint with their local or provincial appropriate authorities.

CONFIDENTIALITY

In all reported instances, a prompt, thorough, fair investigation will take place considering the sensitivity of the issue and protecting the rights and dignity of all people involved.