

POLICY:

Mavericks Water Polo (hereinafter referred to as Mavericks) supports the principles of access and non-discrimination and promotes the goals of anti-racism, access and equity. Mavericks works actively to enable diverse communities to participate in the services and programs offered by Mavericks. Members of Ontario's diverse communities have access to Mavericks' employment, volunteer and governance opportunities.

Mavericks is an organization committed to respect for human rights, human dignity, and equality. Mavericks fully adheres to the spirit and intent of the Ontario Human Rights Code, providing an environment that is free of harassment and discrimination. All incidents and alleged incidents of workplace harassment and discrimination will be taken seriously.

Workplace harassment and discrimination in any form, including bullying, sexual harassment and psychological harassment, is unacceptable and will not be tolerated or condoned by Mavericks. Every effort will be made by Mavericks to identify acts of discrimination and harassment and implement procedures which address these incidents, regardless of whether such conduct is perpetrated by an employee or a member of the public.

This policy applies not only to work-related activities at Mavericks' pool spaces (including other space in and around the building e.g. change rooms), but also to organization approved social functions, work assignments that take place outside of the office, telephone conversations, travel on Mavericks business, electronic communications and other work-related activities.

Everyone is expected to uphold this policy and work together to prevent workplace harassment and discrimination. Any individual found to have engaged in any act of harassment or discrimination will be subject to discipline, up to and including termination for cause.

Mavericks considers allegations of harassment and discrimination to be very serious matters and will actively investigate all such complaints.

Definitions

“Prohibited grounds”

In accordance with the Ontario Human Rights Code, Mavericks defines the following as prohibited grounds for harassment and/or discrimination:

- Race
- Colour
- Ancestry
- Creed (religion)

- Place of Origin
- Ethnic Origin
- Citizenship
- Sex (including pregnancy, gender identity)
- Sexual Orientation
- Age
- Marital Status
- Family Status
- Disability
- Receipt of Public Assistance

In alignment with the spirit and intent of the Code, we are proud to celebrate the individual differences within our community.

“Discrimination” is the unequal treatment of persons through practices that are not only overtly discriminatory, but also through practices that have the effect of being discriminatory, which may be intentional or unintentional. This may involve direct actions that are clearly discriminatory, or rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people.

“Harassment” can be defined as engaging in a course of vexatious comment or conduct against an individual in a workplace that is known or ought reasonably to be known to be unwelcome. It can be exercised by one person or group over another person or group.

Workplace harassment may include bullying, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls. It can also be a combination of these acts.

“Sexual harassment” is a form of harassment that may involve unwelcome sexual attention, sexual innuendo, sexual offensive publications / use of technology and deliberate inappropriate body contact.

This policy prohibits sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes supervisors as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also prohibited.

Note: Sexual harassment does not include a voluntary relationship of mutual consent or a compliment that is not offensive.

“Psychological Harassment” can be defined as any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee. A single serious incidence of such behavior that has a lasting harmful effect on an employee may also constitute psychological harassment.

PROCEDURES:

Mavericks encourages all individuals to report any incident of workplace harassment or discrimination immediately, even if an incident of harassment or discrimination occurs only once, to either the appropriate coach or the Executive Head Coach (or in the case of the Board, to the Board Chair), so that complaints can be promptly and fairly resolved. The sooner a concern is reported, the sooner steps can be taken to address it.

| Any Coach who receives a formal complaint (which must be in writing as outlined below) must immediately advise the Executive Head Coach (or escalate as appropriate, for example to the Board if the complaint involves the Executive Head Coach). The Executive Head Coach will report any formal complaints to the Board along with a report on how the complaint will be investigated and handled.

Mavericks recognizes that confidentiality is of the utmost importance and all complaint queries will be treated with gravity and sensitivity. Mavericks will decide, depending on the circumstances, whether the employee(s) being investigated shall remain in the workplace during an investigation.

If an individual has experienced any form of discrimination or harassment in the workplace, witnessed any form of discrimination or harassment from any sources or has reason to believe that another individual has been subject to discrimination or harassment; the following steps should be taken:

Informal approach to addressing minor incidents

Often, minor incidents of harassment and discrimination can be dealt with most effectively and easily through information resolution. If an individual is comfortable doing so, he/she can clearly communicate to the individual that his/her behavior or conduct is unwelcome. Often, the perpetrator may be unaware of the effect that their behavior is having; therefore speaking privately with the person directly and making it clear that their behavior is unacceptable is often enough to rectify the matter, by the offending party stopping the behavior, and rebuild the working relationship positively. In some cases, this may be sufficient to put an end to the conduct. The individual raising the concern should however keep a record of the incident.

Formal Complaint

If the complainant is not comfortable addressing the matter directly, or the issue is of a serious nature, s/he may bring the concern to the attention of their immediate supervisor and in all cases of a formal complaint the Executive Head Coach must be notified. Formal complaints must be outlined in writing, even if the complaint first comes forward as an oral complaint. Mavericks will make every reasonable effort to ensure that the privacy of persons involved in a complaint is protected. To the extent practical and appropriate under the circumstances, confidentiality will be maintained subject to the overriding responsibility of the organization to investigate and deal with complaints and ensure the safety of all employees.

A formal complaint must be outlined in writing, including details of:

- What happened – a fact-based description of the events or situation;
- When it happened – dates and times of events or incidents;
- Where it happened and what were the circumstances – exact location(s);
- Who saw it happen – the names of witnesses, if any, who were directly involved.

Investigation Procedures

Mavericks will appoint an investigator who is knowledgeable and skilled in dealing with the complaint. Such services may be sourced from qualified organizations or companies who provide mediation, investigation and conflict resolution services.

Investigations will be completed within a reasonable timeframe and the individuals involved in the complaint will be kept informed of the expected duration of the investigation. The written investigator's report will include a summary of allegations, evidence, evidence supporting each allegation, issues of credibility, findings of fact and recommendations for resolution. While not all complaints violate the law, Mavericks intends to prevent and correct discrimination and harassment and other inappropriate conduct.

If the complaint is substantiated, the Executive Head Coach (or Board Chair in the case of a claim regarding the Executive Head Coach or a Board member) will determine the appropriate disciplinary action as well as proactive steps to avoid a similar incident in the future. Where Mavericks concludes that it is necessary to impose corrective action; the range of action could include such measures as a formal apology, referral to appropriate counseling, training, mediation, temporary suspension without pay, or termination, depending on the seriousness of the offence. This will be communicated verbally

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and in written form to the individual. The complainant shall be informed whether the complaint has merit and shall also be advised of any corrective action taken to a level where privacy between Mavericks and the perpetrator, as per the employment relationship, is maintained.

If the complaint involves the allegation of criminal activity, the police will be notified and thus take over the investigation.

The situation will be monitored and where applicable the Executive Head Coach will follow up with the complainant after a set timeframe to ensure that the matter has been satisfactorily resolved and the work environment is positive and productive.

Documentation, notes and any other supporting records pertaining to any complaints of workplace harassment or discrimination will be retained in the employment files of all parties involved. Such records pertaining to an investigation may also be subject to disclosure in a legal process.

No person will be treated unfavorably for making a complaint or participating in the procedures outlined above. There will be no negative consequences for reports made in good faith. If a complaint of workplace harassment or discrimination is found to be mischievous or malicious, disciplinary action may be taken against the complainant up to and including termination.

An individual also retains the right to exercise any other legal avenues available. An employee may seek resolution of a workplace harassment incident or complaint outside of the employer's internal investigation procedure. In particular, an employee may do this if he or she believes the employer did not properly deal with the matter. This policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.

Supervisor's Role

It is important to emphasize that all employees involved in the supervision of others must, upon becoming aware that acts of discrimination or harassment are occurring, notify the Executive Head Coach, even if no formal complaint is made. A person who has the authority to prevent or discourage discrimination or harassment may be held responsible for failing to do so.