

## Harassment Policy and Procedures 10 September 2018

The Ottawa Lions Track and Field Club, herein referred to as OTTL, is committed to providing opportunities for every individual involved in the sport of athletics to enjoy the benefits of this involvement -- be they related to recreation, social interaction, physical fitness, competition, volunteerism, or employment. Harassment, in its various forms, can interfere with the achievement of this objective.

Harassment is a form of discrimination and is prohibited by the Canadian Charter of Rights and Freedoms as well as by human rights legislation in every province and territory of Canada. Harassment of any kind is offensive, degrading, and threatening. In its most extreme forms, harassment can be an offence under Canada's Criminal Code. The Ottawa Lions Track and Field Club will not tolerate or condone any form of harassment, discrimination, or bullying behaviour of any kind, including reprisal or retaliation. Members or employees found to have engaged in conduct constituting harassment shall be subject to disciplinary action under this policy and/or the law. This includes any member or employee who:

- interferes with the resolution of a harassment complaint;
- retaliates against an individual for filing a complaint; or
- files an unfounded harassment complaint intended to cause harm.

Notwithstanding this policy, every person who experiences harassment has the right to seek assistance from the appropriate levels of government related to provincial and federal law.

### 1. APPLICATION

For the purposes of this policy, sport and/or workplace harassment can occur in, but is not limited to, the following places:

- a) at sporting events, competitions, and in training sessions;
- b) at the office;
- c) at sport related social functions;
- d) at the business functions of the OTTL, such as meetings, conferences, training sessions and workshops;
- e) during sport related travel;
- f) through any form of communication device/system including but not limited to telephone, email, websites, social media, postal service; and,
- g) any formal or informal location where the harassment of a person is a result of their sport related involvement.

### 2. DEFINITIONS

(a) "Member" refers to all individuals and entities engaged in activities with the OTTL (including, but not limited to, athletes; coaches; officials; volunteers; team managers; club administrators, coaches or board members; committee members, directors and officers of the OTTL; employees; and parents/guardians of athletes).

(b) “Complainant” refers to the Member who experiences, or alleges to have experienced harassment, files a complaint, and is seeking remedy.

(c) “Respondent” refers to the individual or entity which is the subject of a complaint or dispute.

(d) “Appellant” refers to the Member who is appealing a lower decision.

(e) “Parties” refers to the Complainant, Respondent, and any other Individuals, persons, or organizations affected by the complaint or dispute.

(f) “Days” refers to total calendar days, irrespective of weekends or holidays (time by which an action must be complete).

(g) “Investigation Report” refers to the written record of an investigation, completed by an independent Investigator appointed by the OTTL Disciplinary Committee.

### 3. RESPONSIBILITIES AND EXPECTATIONS

The Ottawa Lions Track and Field Club is responsible for communicating that harassment and discriminatory behaviour are unacceptable practices and are incompatible with the standards of the OTTL as well as being a violation of the law.

The Board of Directors is responsible for the implementation and administration of this policy, reviewing this policy annually, or as required, making necessary adjustments to ensure the policy meets the needs of the OTTL.

The Board of Directors Chair, or their designate, is responsible for ensuring that this policy is applied in a timely, consistent and confidential manner, determining whether or not allegations of harassment are substantiated; and ensuring the policy and procedures are followed.

The Ombudsperson is responsible for communicating the process for investigating and resolving harassment complaints, dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been filed, and ensuring harassment situations are dealt with in a sensitive and confidential manner.

Ottawa Lions Track and Field Club members are responsible for fostering a supportive sport environment / work place that is respectful and free of all forms of harassment, reporting harassment to the OTTL Ombudsperson, and cooperating with harassment investigations and confidentiality related to the investigation process.

Members can expect:

- to be treated with respect in the sport / work environment;
- that reported harassment will be dealt with in a timely, confidential and effective manner;

- to have the right to a fair process and to confidentiality during a harassment investigation; and
- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

#### 4. HARASSMENT

The OTTL is committed to encouraging a supportive sport environment and respectful work place free of all forms of harassment, where members, employees, and volunteers contribute to the OTTL's goals in the knowledge that their personal aspirations and dignity will be respected. Harassment is a form of discrimination. It involves any unwanted physical or verbal behaviour that offends or humiliates. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment.

This policy prohibits discriminatory behaviour or harassment based on the following grounds, and any combination of these: age; creed (religion); sex (including pregnancy and breastfeeding); sexual orientation; gender identity; gender expression; family status (such as being in a parent-child relationship); marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship); disability (including mental, physical, developmental or learning disabilities); race; ancestry; place of origin; ethnic origin; citizenship; colour; record of offences (criminal conviction for which a pardon has been received); association or relationship with a person identified by one of the above grounds; or perception that one of the above grounds applies

#### 5. PROHIBITED BEHAVIOUR

- (a) *Discrimination* - any form of unequal treatment, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if discrimination is one factor then that is a violation of this policy.
- (b) *Harassment* - any behaviour, including a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy. Harassment can occur based on any of the grounds of discrimination.

Examples of Harassment are:

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground
- Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means;

- Singling out a person for humiliating or demeaning ‘teasing’ or jokes;
- Comments ridiculing a person because of characteristics that are related to a ground of discrimination. (i.e., this could include comments about a person’s dress, speech or other practices that may be related to their sex, race, gender identity or creed).

Note: If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the behaviour is okay. The behaviour could still be considered harassment under the Ontario Human Rights Code.

- (c) *Neglect* - chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. An example of this may be when injuries are not adequately treated or athletes are made to train or compete with injuries, equipment is inadequate or unsafe, no-one intervenes when team members are persistently harassing another athlete, or road trips are not properly supervised.
- (d) *Poisoned Environment* – created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that creates a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.
- (e) *Physical or Sexual abuse of a Minor* - when a person in a position of power or trust purposefully injures or threatens to injure a minor. This may take the form of unwelcomed physical contact, slapping, hitting, shaking, kicking, pulling hair or ears, throwing or shoving, grabbing, hazing or excessive exercise, which can be considered a form of punishment.

Note: It is recognized that there may be a certain amount of physical contact inherent in coaching athletes. Such contact may be related to teaching a new skill, spotting, or other safety issues. This type of physical contact is not considered to be harassment, providing that it is welcomed by the athlete. If the athlete indicates that the touching is unwelcome, it must stop. Otherwise it will be considered harassment.

- (f) *Racism* – any distinction, conduct or action, whether intentional or not, based on a person’s race, which has the effect of imposing burdens on an individual or group, not imposed upon others or which withholds or limits access to benefits available to other members of society. Race need only be a factor for racial discrimination to have occurred.

Examples of Racism include but are not limited to:

- interpersonal behaviour such as name calling, derogatory remarks, gestures and physical attack.

- racial bias in OTTL, a club or sport related decisions such as team selection, program access, and participation in activities and decisions related to sport related issued.
- racial bias in administrative decisions, assignments, promotion, holidays, leave, and salary increases.
- stereotype language which universalizes experience and ignores the differences between people and cultures.
- discriminatory language: language which denotes a stereotyped view of a subject or which has offensive overtones.

(g) *Reprisal/Retaliation* - action or behaviour directed towards an individual who has complained of being harassed, who has reported witnessing harassment or who has otherwise been involved in a harassment complaint or investigation. Reprisal/retaliation is generally initiated with the intent to intimidate, threaten, humiliate, exact revenge, or adversely affect the performance or working conditions of an individual. Reprisal/retaliation may include, but is not limited to, situations in which an individual involved in a harassment proceeding is:

- a) improperly denied or threatened with the withholding of promotion, advancement, access to training or other related opportunities or benefits (e.g. team selection); or
- b) improperly disciplined or threatened with disciplinary action, or dismissed or threatened with dismissal.

(h) *Sexual and gender-based Harassment* - action or behaviour resulting in:

- Gender - related comments about a person's physical characteristics or mannerisms
- Paternalism based on gender which a person feels undermines his or her self respect or position of responsibility
- Unwelcome physical contact of any kind
- Suggestive or offensive remarks or innuendos about members of a specific gender
- Propositions of physical intimacy
- Gender-related verbal abuse, threats or taunting
- Leering or inappropriate staring
- Bragging about sexual prowess or questions or discussions about sexual activities
- Offensive jokes or comments of a sexual nature about an individual
- Rough and vulgar humour or language related to gender
- Display of sexually offensive pictures, graffiti or other materials including through electronic means
- Demands for dates or sexual favours

(i) *Sexual Solicitation* – solicitations, exploitation, 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 team managers and coaches, as well as OTTL 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 not allowed.

## 6. DUTY TO REPORT

Abuse and neglect are community problems requiring urgent attention. The OTTL is committed to help reduce and prevent the abuse and neglect of participants. The OTTL realizes that persons working closely with minors may have a special awareness of abusive situations. Therefore these people have a particular reporting responsibility to ensure the safety of Canada's young people by knowing their provincial protection legislation and following through as required. Ontario has mandatory reporting laws regarding the abuse and neglect of minors. Consequently, it is the policy of OTTL that any employee, parent, guardian or member of the Association who has reasonable grounds to suspect that a participant is or may be suffering or may have suffered from emotional, physical abuse and neglect and/or sexual abuse shall immediately report the suspicion and the information on which it is based to the local child protection agency and/or the local police detachment. In Canada, a person is considered a minor up to the age of 16 to 19 years, depending on provincial legislation.

Those involved with OTTL, in providing training and competitive opportunities for participants, understand and agree that abuse or neglect, as defined above, may be the subject of a criminal investigation and/or disciplinary procedures. Failure to report an offence may result in charges and fines under the law.

## 7. LIMITATIONS PERIOD FOR COMPLAINTS

If a person believes that they have been subjected to harassment within the scope of this Harassment Policy, then the person may proceed with a complaint:

- (a) within one (1) year after the incident to which the complaint relates; or
- (b) if there was a series of incidents, within one (1) year after the last incident in the series.

A person may proceed with a complaint after the expiry of the time limit under s.7 if the OTTL is satisfied that the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay.

## 8. OTTAWA LIONS TRACK AND FIELD CLUB RIGHT TO DISMISS

The Ottawa Lions Track and Field Club may dismiss a complaint, in whole or in part, at any time during the complaint process and in accordance with its rules if the OTTL is of the opinion that another proceeding has appropriately dealt with the substance of the complaint.

## APPENDIX A HARASSMENT PROCESS

Harassment pertains in particular to behaviour that discriminates on the grounds of race, ancestry, place or ethnicity of origin, colour, citizenship, creed (religion), gender, sexual orientation, disability, age, marital/family status or record of offence. Every individual has the right to pursue athletics in an atmosphere which promotes equal opportunities and prohibits discriminatory practices. All member of the Ottawa Lions Track and Field Club (OTTL) shall avoid and shall discourage others' expressions or displays of harassment.

Even the appearance of offensive behaviour that discriminates can damage mutual respect between teams, athletes, management, staff, etc. Notwithstanding this policy, every person who experiences harassment has the right to seek assistance from the appropriate levels of government related to provincial and federal law.

### 1. APPLICATION

This process only applies to allegations of harassment when:

- (a) both the complainant and the respondent are members; or
- (b) the respondent is a member and a party who is not a member of the OTTL, but who, in the opinion of the OTTL Board of Directors, is a party deemed to have interest in the matter at the root of the complaint lodged.

This determination is at the sole discretion of the OTTL Board of Directors, and their decision shall be final and not subject to appeal. Harassment complaints arising within the business, activities, or events organized by entities other than the OTTL will be dealt with pursuant to the policies of these other entities unless requested and accepted by OTTL at its sole discretion.

### 2. CONFIDENTIALITY

The OTTL recognizes that it can be extremely difficult to come forward with a complaint of harassment, and that it can be devastating to be wrongly accused of harassment.

Therefore, in the interests of both the complainant and respondent, harassment complaint proceedings conducted by the OTTL will be treated as confidential to the greatest extent possible, consistent with each party's right to a procedurally fair process.

The OTTL and its representatives shall not disclose to outside parties the name of the complainant, the circumstances giving rise to a complaint, or the name of the respondent unless such disclosure is required by a disciplinary decision, an outside remedial process or by law. Despite the importance of a high degree of confidentiality in the conduct of the proceedings, due process requires an element of transparency. Accordingly, if the complaint is found to have merit, the final decision of the Hearing Panel will be made public. In doing so, the names of the complainant will be withheld, while the name of the respondent will be made public along with a summary of the judgement.

### 3. HARASSMENT OFFICER

The OTTL Board shall appoint an Ombudsperson to serve under this policy. In addition, Ombudsperson is not required to be a member of the OTTL in order to fulfill this role. The role of the Ombudsperson is to serve in a neutral capacity and bring an informed perspective to bear on the early phases of the harassment complaint procedure. The Ombudsperson shall receive complaints, assist in the informal resolution of complaints, and conduct the initial assessment of formal written complaints. Ombudsperson is directly responsible to the Board of Directors. The OTTL shall ensure that the Ombudsperson has access to appropriate training and the necessary support for carrying out their responsibilities under this policy.

#### 4. REPORTING HARASSMENT

Members who believe they are being harassed should contact the OTTL Ombudsperson by e-mail at [ombudsperson@ottwalions.com](mailto:ombudsperson@ottwalions.com), or another trusted person in a position of authority to discuss the situation. Alternatively, there are four possible courses of action for a Complainant:

- (a) they may confront their alleged harasser and inform him/her that the behavior in question is offensive and contrary to the OTTL policy; if this option is exercised and the behaviour ceases, they may elect to take no further action;
- (b) in addition to confronting the person whose behaviour is offensive, they may immediately report the behaviour in accordance with submitting a complaint (see section 7);
- (c) if after confronting the person whose behaviour is offensive and the behaviour continues, they may then report the situation by submitting a written complaint (see section 7); or
- (d) if they are uncomfortable with confronting the person whose behaviour is offensive, they may report the behaviour directly, in accordance with submitting a complaint (see section 7).

OTTL officials (Board/Committee members, Executive Director, Staff, Coaches or Technical Officials) who witness behaviour that may constitute harassment or who otherwise becomes aware that harassment may be taking place are required to report it in accordance with the prescribed complaint procedure.

Members who witness behaviour that may constitute harassment of another OTTL member, or who otherwise became aware that harassment caused by a member may be taking place, are encouraged to report the behaviour in accordance with the prescribed complaint procedure. Notwithstanding this, the legal requirements to report suspected child abuse remain under the law.

#### 5. HARASSMENT INVOLVING MINORS

This section of the policy only relates to the harassment of OTTL members who are minors by another OTTL member. The legal requirements to report suspected child abuse remain as well. If the Complainant is a minor, the complaint may be brought forward by a Responsible Adult. The Responsible Adult will have the right to act on behalf of the Complainant throughout the complaint process, including:

- making a complaint;
- receiving all notices on behalf of the Complainant; and
- being present at all dealings with the Complainant.

If the Respondent is a minor, the following shall apply:

- If the Ombudsperson is attempting an informal resolution of a complaint, the Ombudsperson may speak to the Respondent directly concerning the complaint provided that, prior to speaking to the Respondent, the Ombudsperson informs the Respondent that he/she may have a Responsible Adult present during the meeting.
- In the event that a minor Respondent is unwilling or unable to designate a Responsible Adult to be present during the meeting, the Ombudsperson shall designate and be accompanied by an adult OTTL member who is neutral to the complaint and who will witness the meeting.
- If the complaint is referred to the Ombudsperson for investigation:
  - i. a copy of the written complaint shall be forwarded to a parent or guardian of the Respondent if such person is known;
  - ii. the Respondent shall be advised that he/she has the right to be represented by a Responsible Adult;
  - iii. The Respondent's designated Responsible Adult will have the right to act on behalf of the Respondent throughout the investigation process, including: responding to a written complaint, receiving all notices on behalf of the Respondent, and being present at all dealings with the Respondent.

## 6. SUBMITTING A COMPLAINT

Harassment complaints should be made to the OTTL Ombudsperson at [ombudsperson@ottawalions.com](mailto:ombudsperson@ottawalions.com) or to any person in a position of authority (i.e. Board/Committee member, Executive Director, staff, coach, or technical official). Ultimately, the harassment investigation and review process requires that complaints be filed with the OTTL Ombudsperson. Therefore, other OTTL members who receive a complaint shall forward it immediately to the Ombudsperson. When the Ombudsperson receives a complaint through a third party, he/she will immediately contact the alleged victim and initiate the complaint evaluation procedure. In all reported instances, a prompt, thorough, fair investigation will take place giving careful consideration to protect the rights and dignity of all people involved.

## 7. COMPLAINT EVALUATION PROCEDURE

Upon receiving a complaint, the Ombudsperson will inform the complainant of:

- (a) the option of pursuing an informal resolution;
- (b) the right to lay a formal written complaint under this policy when informal resolution is inappropriate or when an attempt at informal resolution is unsuccessful;
- (c) the confidentiality provisions and limitations of this policy;
- (d) the right to be represented/advised by a person of choice (including legal counsel) at any stage in the complaint process (at the Complainant's expense);

- (e) the right to withdraw from any further action in connection with the complaint at any stage (even though the OTTL might continue to investigate the complaint);
- (f) the potential consequences of allegations of harassment that are fabricated, frivolous or vexatious; and
- (g) any other avenues of recourse, including the right to file a complaint with Athletics Ontario, a human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the Criminal Code.

## 8. COMPLAINT EVALUATION OUTCOMES

There are three possible outcomes to the initial meeting between the complainant and the Ombudsperson:

- (a) The complainant and the Ombudsperson agree that the behaviour in question does not constitute harassment. If this occurs, the Ombudsperson will take no further action and will make no written record.
- (b) The complainant brings evidence indicating that harassment may have occurred and chooses to pursue an informal resolution of the complaint:
  - i. The Ombudsperson will assist the two parties to negotiate a solution acceptable to the complainant. If desired by the parties, and if appropriate, the Ombudsperson may also seek the assistance of a neutral mediator.
  - ii. If negotiation yields a result that is acceptable to both parties, the Ombudsperson will make a written record that the complaint was made and subsequently resolved to the satisfaction of both parties. This record will briefly outline the details of the complaint and the resolution. It will be signed by both parties and kept on file in the OTTL office for a period of time as determined by the Ombudsperson. No further action will be taken.
  - iii. If negotiation fails to satisfy the Complainant, the Complainant may then proceed to lay a formal written complaint.
- (c) The Complainant brings evidence indicating that harassment may have occurred and decides to lay a formal written complaint:
  - i. The Ombudsperson will assist the complainant to draft a formal written complaint. The complaint will set out the details of the incident(s) and the names of any witnesses, and will be signed by the complainant and dated. A copy of the signed complaint will be delivered to the respondent without delay.
  - ii. The Respondent will be given the opportunity to provide a written response to the complaint. The Ombudsperson may assist the respondent in preparing this response. The respondent is not obliged to respond in writing; if preferred, he/she may provide a verbal response to the Ombudsperson.
  - iii. The Ombudsperson will also advise the respondent about the provisions of the Harassment Policy and of the respondent's right to be represented by a person of his/her choice (at the respondent's expense). As soon as possible after receiving the written complaint, but no more than twenty-one (21) days from that date, the Ombudsperson shall submit a written Harassment Report to the Board of Directors, with a copy to the Executive Director,

unless the Executive Director or Board of Directors Member is the subject of the complaint. If a Member of the Board of Directors is the subject of the complaint, that member shall be excluded from the discussion of the complaint. The Report shall contain the formal written complaint and either the respondent's written response or the substance of his/her verbal response, together with a recommendation that either:

- 1) no further action should be taken because the complaint cannot be substantiated or the conduct cannot be reasonably said to fall within the definition of harassment contained in this policy; or
- 2) the complaint appears to have substance and should be investigated further.

A copy of the Harassment Report shall also be provided to both the Complainant and Respondent without delay.

#### 9. INVESTIGATION

The Disciplinary Committee will determine whether further investigation is warranted. Depending upon the nature of the complaint and the information provided in the Harassment Report, the Disciplinary Committee at their sole discretion may appoint an independent individual to conduct an investigation in order to confirm the background and context of the complaint and to ascertain the relevant facts. If an investigation is ordered, the investigator shall carry out the task in a timely manner and at the conclusion shall submit a written investigation report to the Chair of the Disciplinary Committee.

#### 10. HARASSMENT REPORT

The **OTTL Board of Directors Chair and Disciplinary Committee Chair** shall review the Harassment Report to confirm that procedures have been applied correctly in accordance with this policy. If the Board Chair and the Disciplinary Committee Chair find that there have been procedural errors, they will return the file to the Investigator with instructions for correction. If the Board of Directors Chair and the Disciplinary Committee Chair are satisfied that due process has been followed, they will consider the substance of the Report and determine whether further action is to be taken, if any. If there is disagreement between the Board of Directors Chair and the Disciplinary Committee Chair the matter shall be referred to the Executive Committee of the Board of Directors to determine what further action is to be taken, if any. The Chairs shall complete the review within five (5) days of receipt of the Report.

#### 11. DISCIPLINARY COMMITTEE

Upon receipt of the investigator's report, the Disciplinary Committee Chair shall within 14 days call a meeting of and provide instruction, including the Harassment Report and the Investigator's Report, to the Disciplinary Committee. The Disciplinary Committee shall include at least one external member and be expanded to include subject matter experts as necessary.

#### 12. DECISION

Within 14 days of concluding the meeting of the Disciplinary Committee, the Chair of the Disciplinary Committee shall present a written decision, with copies provided without delay to the Board Chair, the Executive Director, the Complainant, the Respondent, and the Ombudsperson.

In extraordinary circumstances, the Disciplinary Committee may first issue a verbal or summary decision soon after the review's conclusion, with the full written decision to be issued within 14 days of concluding the hearing. The decision shall contain:

- (a) a summary of the relevant facts;
- (b) a determination as to whether the behaviour in question constitutes harassment as defined in this policy;
- (c) if the complaint is found to be valid:
  - i. a determination of disciplinary action, if any, to be taken against the respondent; and
  - ii. if appropriate, measures to remedy or mitigate any harm or loss suffered by the complainant; and
- (d) if appropriate, a recommendation for any action which might prevent similar situations in the future.

If the Disciplinary Committee determines that the allegations of harassment are fabricated, frivolous, or vexatious, it may determine that disciplinary action shall be taken against the Complainant. It is emphasized that a finding that the behaviour in question does not constitute harassment is not sufficient grounds of itself for such action against the Complainant.

In the event that the Disciplinary Committee finds that harassment has occurred, the Disciplinary Committee shall, when making determinations for disciplinary action and/or corrective measures, consider factors such as:

- (a) the nature of the harassment;
- (b) whether the harassment involved any physical contact;
- (c) whether the harassment was an isolated incident or part of an ongoing pattern;
- (d) the nature of the relationship between the Complainant and Respondent;
- (e) the age of the Complainant;
- (f) whether the harasser has been involved in previous harassment incidents;
- (g) whether the harasser admitted responsibility and expressed a willingness to change; and
- (h) whether the harasser retaliated against the Complainant.

### 13. SANCTIONS

In the event the Disciplinary Committee finds that harassment has occurred, when determining disciplinary sanctions the Disciplinary Committee shall refer to the **AO Discipline Policy**, which includes but is not limited to the following options (singly or in combination, depending on the severity of the harassment):

- (a) a letter of reprimand from the OTTL;
- (b) referral to counseling;
- (c) removal of certain privileges;

- (d) suspension of membership (e.g., officials, coaches, athlete, etc.) for a specified period of time;
- (e) suspension from competition for a specified period of time;
- (f) temporary suspension from employment, with or without pay;
- (g) termination of employment or contract;
- (h) an apology witnessed by a member of the Disciplinary Committee or Executive Director;

In the event that the Disciplinary Committee finds that harassment has not occurred, that the complaint of harassment was fabricated, frivolous or vexatious, and that disciplinary action should be taken against the Complainant, the Panel may consider any of the sanctions listed in above, or such other measures as the Panel may deem appropriate to the circumstances.

#### 14. RECORDS

As a general rule, the decision of the Disciplinary Committee shall become a matter of public record, but all other information pertaining to the complaint and investigation shall remain confidential.

Where the Disciplinary Committee concludes that harassment has not occurred, a copy of the Panel's decision shall be filed in the OTTL Office in the **secured** harassment file.

Where the Disciplinary Committee finds that the allegations of harassment were fabricated, frivolous or vexatious, a copy of the Panel's decision together with the investigator's report and any documentary evidence shall be filed in the personnel file of the Complainant only, with all references to the identity of the Respondent deleted, if he/she so requests.

Where the Disciplinary Committee finds that harassment has occurred, a copy of their decision, together with the investigator's report and any documentary evidence, shall be filed in the OTTL Office in the **secured** harassment file. The Disciplinary Committee decision shall also be filed on the personnel file of both the Complainant and Respondent.

Unless the findings of the Disciplinary Committee are overturned upon appeal, the decision and supporting material shall be retained on file for a period of ten years. This period could be extended if new and related developments indicate such action is warranted.

#### 15. APPEAL PROCEDURE

If a party believes the decision of the Disciplinary Committee, rendered under this Process, was procedurally unfair, the decision may be appealed in accordance with the AO Appeal Process. The Appeal Process can be found in the AO Dispute Resolution Policy: Appendix C - AO Appeal Process.