



Discrimination and Harassment Policy

Policy Statement

1. Canoe Kayak Canada (CKC) is committed to providing a sport and work environment that is safe, welcoming, inclusive and respectful. Such an environment does not include or condone discrimination or harassment. CKC recognizes that harassment is a form of discrimination, and like discrimination is prohibited by human rights legislation in Canada. In its extreme forms, harassment can also be an offence under Canada's Criminal Code.

2. Board/committee members, Paddling Association member executives, staff, coaches, managers, officials and employees of CKC are responsible for preventing and discouraging harassment by:

- understanding and upholding the principles of this policy;
- not engaging in behaviour contrary to this policy and ensuring that all members and employees are treated fairly and equitably;
- communicating CKC's objective to create and maintain a harassment-free sport;
- not allowing or condoning behaviour contrary to this policy;
- taking all complaints of harassment seriously by investigating complaints in a thorough and sensitive manner and taking prompt action to resolve the situation in accordance with procedures outlined in the following sections.

Application

3. This policy applies to all employees as well as to all directors, officers, coaches, athletes, team personnel, officials and members of CKC. It applies to discrimination and harassment that may occur during the course of all CKC business, activities and events.

4. Harassment and discrimination arising within the business, activities and events of Paddling Association members, affiliates or partners of CKC will be dealt with using the policies and mechanisms of such entities.

5. Paddling Association members are encouraged to adopt and implement policies consistent with this policy to deal with harassment and discrimination complaints within their respective jurisdictions.

Definitions

6. Discrimination is a distinction, based on grounds relating to personal characteristics of an individual

or group which, whether intended or not, has the effect of imposing disadvantages on that individual or group not imposed on others, or withholding or limiting access to advantages available to others.

7. Harassment takes many forms but can generally be defined as comment, conduct, or gesture directed toward an individual or group of individuals that is known, or ought to be known, to be unwelcome.

8. Behaviours that constitute harassment include, but are not limited to:

- written or verbal abuse or threats;
- the display of audio or 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, or abilities;
- leering or other suggestive or vulgar gestures;
- condescending, paternalistic or patronizing behaviour that undermines self-esteem, diminishes performance, or adversely affects working conditions;
- practical jokes that cause embarrassment, endanger a person's safety, or negatively affect performance;
- unwanted physical contact including touching, petting, pinching or kissing;
- unwelcome sexual flirtations, advances, requests, invitations, questions or discussions;
- use of homophobic or other derogatory sexual terms;
- any form of hazing;
- behaviours such as those described above that are not directed towards individuals or groups but that have the effect of creating a negative, hostile or poisoned environment;
- criminal conduct such as stalking and physical or sexual assault or abuse;
- retaliation or threats of retaliation against an individual who reports harassment.

9. For the purposes 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;
- such conduct has the purpose or effect of interfering with an individual's performance;
- such conduct creates an intimidating, hostile or poisoned environment.

Complaints

10. . Any person may make a complaint under this policy to any Official of CKC. For the purposes of making a complaint, an 'Official' is any person in a responsible staff or volunteer position with CKC. Complaints must be in writing, signed by the complainant.

11. Once a complaint is made, the role of the Official is to serve in a neutral capacity in assisting in an informal resolution of the complaint, where this is appropriate.

12. If the Official is unable to assist in an informal resolution of the complaint, or if informal resolution is not appropriate, the Official will report the complaint to the Chief Executive Officer of CKC.

Investigation

13. The Chief Executive Officer will appoint an independent individual to conduct an investigation of the complaint. The Investigator will carry out an investigation in a timely manner and at the conclusion of the investigation will provide a written report. This report will make findings and where the complaint is substantiated, will set forth recommendations for conducting a hearing in order to resolve the complaint.

14. The CEO will notify the President that a complaint has been filed and has been referred to investigation. The CEO and the President, in consultation, will determine what information about the complaint will be disclosed to the Board of Directors, keeping in mind the confidentiality provision of this policy as set out in Section 20.

15. The CEO may determine that the alleged conduct is of such seriousness as to warrant immediate suspension or removal of the individual pending an investigation, hearing and decision.

Hearing and Decision

16. Where the Investigator recommends that a hearing take place, such hearing will occur in a timely manner, using fair procedures that afford all parties an opportunity to make representations to a Panel of three impartial decision-makers appointed by CKC. The format, timelines and procedures for the hearing will be at the discretion of the Panel.

17. The Panel will consider the evidence of the parties, relevant witnesses, and the Investigator's findings in making its decision and will issue a written decision. The decision of the Panel will take effect immediately and will be final and binding on all parties.

18. Failure to comply with a sanction as determined by the Panel will result in automatic suspension of any affiliation with CKC until such time as the sanction is fulfilled.

Criminal Matters

19. Notwithstanding the procedures set out in this policy, any person to whom this policy applies who is convicted of an offense under Section 5 of the Criminal Code of Canada (Sexual Offenses, Public Morals and Disorderly Conduct), or is convicted of a similar offense of sexual nature, will face automatic suspension from CKC for a period of time corresponding to the length of their criminal sentence, and may face further disciplinary action by CKC in accordance with this policy.

Confidentiality

20. CKC recognizes the sensitive nature of discrimination and harassment and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, CKC will do so. It is also the policy of CKC to keep its Board of Directors informed of the general progress of a complaint, and to allow publication of the decision of the Panel, where the Panel directs publication as part of its decision.

Appeal

21. An individual who is sanctioned under this Policy may appeal, in accordance with CKC's policies relating to appeals and dispute resolution.