



# WORKPLACE ABUSE, VIOLENCE AND HARASSMENT POLICY

## Definitions

1. These terms will have these meanings in this policy:
  - a. **Active Member** - The Provincial/Territorial association recognized by Volleyball Canada as the sole governing body for the sport of Volleyball in the particular Province or Territory.
  - b. **Harassment** – Generally defined as comment or conduct, directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive
  - c. **Individuals** - refers to all categories of members and/or registrants defined in the By-laws of Volleyball Canada and in the By-laws of an Active Member, as applicable, as well as all people employed by, contracted by, or engaged in activities with or on behalf of, Volleyball Canada or an Active Member including, but not limited to, employees, contractors, athletes, coaches, mission staff, referees, volunteers, managers, administrators, committee members, parents or guardians, spectators, and directors and officers.
  - d. **Person in Authority** – any person who holds a position of trust or authority over a vulnerable Individual pursuant to the role assigned to them. Persons in Authority (PIA) include, but are not limited to coaches, managers, trainers, Directors, referees, staff, and administrators.
  - e. **Sexual Harassment** – 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:
    - i. Submitting to or rejecting this conduct is used as the basis for making decisions that affect the individual.
    - ii. Such conduct has the purpose or effect of interfering with an individual's performance.
    - iii. Such conduct creates an intimidating, hostile or offensive environment.
  - f. **Workplace** - Any place where business or work-related activities are conducted. This includes but is not limited to; Volleyball Canada Offices, work-related social functions, work assignments outside Volleyball Canada Offices, work related travel, and work-related conferences or training sessions.
  - g. **Workplace Harassment** – For the purpose of this policy, Workplace Harassment will be defined as:
    - i. Engaging in a course of vexatious comment or conduct against a worker in a workplace – a comment or conduct that is known or ought reasonably to have been known to be unwelcome.
    - ii. Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:
      - o Measures to correct performance deficiencies, such as placing someone on a performance improvement plan.
      - o Imposing discipline for workplace infractions.
  - h. **Workplace Violence** – For the purpose of this policy, workplace violence is defined as the exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker. It also includes:
    - i. An attempt to exercise physical force against a worker in a workplace, that could cause injury to the worker; and



- ii. A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker that could cause physical injury to the worker. This may include, but not limited to:
  - h) verbally threatening to attack a worker;
  - i) leaving threatening notes at or sending threatening e-mails to a workplace;
  - j) shaking a fist in a worker's face;
  - k) wielding a weapon at work;
  - l) hitting or trying to hit a worker;
  - m) throwing an object at a worker;
  - n) sexual violence against a worker

### **Policy Statement**

- 2. Volleyball Canada is committed to providing a safe work environment. Volleyball Canada does not tolerate, condone or ignore any workplace violence or harassment and will take whatever steps reasonable to protect our workers from the same.

### **Purpose**

- 3. The purpose of this policy is to protect from a hostile sport and/or working environment, Volleyball Canada's professional staff, its national team athletes and its volunteers, all of whom represent Volleyball Canada and who act on behalf of Volleyball Canada.

### **Scope and Application**

- 4. This policy applies to all Individuals accessing Volleyball Canada and/or its premises for programs, events and services. All Individuals are expected to protect their own health and safety by complying with the law and safe work practices and procedures established and required by Volleyball Canada.
- 5. All Individuals and Active Members are responsible for preventing and reporting acts of abuse, violence and harassment that threaten or perceive to threaten a safe work environment.
- 6. Managers, supervisors and workers are expected to adhere to this policy and will be held responsible by Volleyball Canada for failure to follow the policy.
- 7. Volleyball Canada will not penalize or discipline any individual for reporting an incident or for participating in an investigation involving workplace abuse, violence, or harassment.
- 8. The Chief Executive Officer (or designate) will investigate and deal with all complaints or incidents of workplace harassment or violence in a fair, respectful and timely manner. Information provided about an incident or complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law. If the complaint or incident involves the Chief Executive Officer, the Chair of the Board of Directors (or their designate) will assume the Chief Executive Officer's responsibilities.
- 9. This policy applies to allegations of abuse, violence and/or harassment which occurred during the course of authorized Volleyball Canada business, activities and events, including but not limited to Volleyball Canada Championships, training camps, meetings and travel associated with Volleyball Canada activities and events.



10. This policy also applies to conduct outside the scope of Section 9 when such conduct adversely affects relationships within Volleyball Canada and its work and sport environment and is detrimental to the image and reputation of Volleyball Canada. Such applicability will be determined by Volleyball Canada at its sole discretion.

### **Provisions**

11. Volleyball Canada will ensure that this policy and the supporting programs are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence and harassment in the workplace.

12. For the purpose of this policy, examples of Workplace Violence include:

- a. Verbal threats made against a worker.
- b. Sending to or leaving threatening notes or emails for a worker.
- c. Making threatening physical gestures to a worker.
- d. Wielding a weapon at work.
- e. Hitting, pinching or unwanted touching of a worker which is not accidental.
- f. Throwing an object at a worker.
- g. Blocking normal movement or physically interfering with a worker, with or without the use of equipment.
- h. Sexual violence against a worker.

13. For the purpose of this policy, examples of Workplace Harassment include:

- a. Bullying.
- b. Repeated offensive or intimidating phone calls or emails.
- c. Inappropriate sexual touching, advances, suggestions or requests.
- d. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form.
- e. Psychological abuse.
- f. Personal harassment.
- g. Discrimination (Note: Unlike the Ontario *Human Rights Code*, Workplace Harassment does not require any motivation or connection to a prohibited ground of discrimination, such as, for example, race, ancestry, religion or disability).
- h. Intimidating words or conduct, offensive jokes or innuendos.
- i. Words or actions which are known or should reasonably have been known to be offensive, embarrassing, humiliating or demeaning.

14. Any person found to have engaged in acts of violence or harassment against any other employee, worker, contractor, subcontractor, principal, customer, supplier, client or other third party during business hours, or at any Volleyball Canada event or client event, will be subject to appropriate disciplinary action, including; warnings, reprimands, suspensions, discharge and/or termination for cause.

15. Volleyball Canada pledges to investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned to the fullest extent possible.

16. No worker is expected to work in a situation in which he/she believes that Workplace Violence is likely to endanger themselves. A worker has the right to refuse work where a threat to physical safety exists as a result of a Workplace Violence situation, as described under this policy. This right does not extend or imply the right to refuse work in the case of Workplace Harassment in which there is no threat to physical safety.



17. Volleyball Canada will not in any way retaliate against an individual who makes a report of a violation under this policy, nor tolerate any retaliation by any employee, worker, supervisor or executive member. Retaliation is a serious violation of this policy and must be reported immediately. Any person found to have retaliated against another individual for reporting offending conduct will be subject to serious disciplinary action, up to and including termination for cause.
18. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from the provincial or territorial human rights commission even when steps are being taken under this policy.
19. This policy shall comply with the relevant articles of provincial Human Rights Codes as they are updated.

#### Preventing Abuse and Harassment

20. Volleyball Canada and its Active Members will enact measures aimed at preventing Abuse, including, but not limited to, screening, orientation, educating and monitoring.

#### Monitoring

21. Volleyball Canada and its Active Members may regularly monitor those Individuals who have access to, or interact with, vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.

#### Reporting

22. Volleyball Canada encourages Individuals to bring forward any workplace abuse, violence or harassment concerns, whether their own, or information about workplace abuse, violence or harassment that they have witnessed.
23. The policies of Volleyball Canada and its Active Members will require that complaints, including those related to harassment, discrimination, and abuse, must be handled by an Independent Third Party appointed by Volleyball Canada or an Active Member. Volleyball Canada will inform local authorities should the Independent Third Party suspect a breach in the Criminal Code.
24. Volleyball Canada pledge not to dismiss, penalize, discipline, or retaliate or discriminate against any person who discloses information or submits, in good faith, a report concerning abuse.

#### **Communications**

25. Volleyball Canada will identify those persons within their respective organizations who will be responsible for implementing this policy.
26. This policy must be posted at a conspicuous place in the workplace as per Section 32.0.1 of the *Occupational Health and Safety Act*.

#### **Review**

27. This policy will be reviewed at least once annually, or as decided by the Chief Executive Officer and/or the Volleyball Canada Board of Directors.
28. This policy should next be reviewed in November 2022.



**Approval**

29. This policy was approved by the Volleyball Canada Board of Directors on November 10, 2020.