



## **POLICY STATEMENT**

1. The Halifax Ultimate Recreational League Society (HURL) is committed to ensuring a safe and respectful environment for all league members, employees, agents, volunteers and spectators associated with Ultimate in the Halifax Regional Municipality (HRM).
2. Any form of harassment is strictly prohibited and will not be tolerated. A variety of formal and informal response options are provided to respond to the needs of Complainants and Respondents under this policy.
3. Any person who engages in harassing behavior shall be subject to disciplinary action up to and including permanent suspension of membership and/or affiliation with HURL.

## **POLICY OBJECTIVES**

4. The purpose of this policy is to ensure that reasonable measures are in place to maintain a safe and respectful environment for all HURL members. This policy has been developed with the following goals:
  - a. To define the position of HURL on any and all issues pertaining to harassment;
  - b. To define the role of all parties in resolving potential harassment issues within HURL.

## **APPLICATION**

5. This policy shall apply to all employees, volunteers, agents or members of HURL and any spectator to the sport of Ultimate or organization(s) affiliated with HURL.

## **DIRECTIVES**

6. All HURL members, volunteers, employees and/or agents shall have an obligation to reduce the likelihood of the occurrence of harassment toward any person and shall endeavor to resolve harassment, through immediate halting of the harassment, in a peaceful and amicable manner. All spectators to the sport of Ultimate or persons, groups or organizations associated with HURL shall have an obligation of same.
7. The use of sexual harassment; discrimination; verbal, emotional or written abuse; hazing; physical violence; repeated actions of unsportsmanlike behavior; bullying; implied or expressed threats; and vandalism is strictly prohibited.



8. The use of physical force, which is accompanied by intent to cause physical harm, is strictly prohibited except where there is a belief, on reasonable grounds, that such actions are necessary in order to prevent personal injury, property damage or to maintain order. In such cases, no more force than is reasonably necessary shall be used.
9. The use of physical force, including corporal punishment, or the use of threatening behavior, either verbal or physical, which is accompanied by intent to cause physical harm, shall at no time be used as a form of discipline.
10. Failure to comply with the terms of this policy shall result in appropriate disciplinary action being taken.
11. Any person who becomes aware of a harassment incident and who believes the harassment incident to be in violation of the Criminal Code of Canada shall immediately report the details of the harassment incident to the appropriate authorities.
12. All HURL members, volunteers, employees and/or agents shall comply with the terms of this policy. All spectators to the sport of Ultimate or persons, groups or organizations associated with HURL shall have an obligation of same.

## **GUIDELINES**

13. The underlying philosophy in Ultimate is that of a sport based on sportsmanship; fair play; respect for ones opponents, for ones teammates and for oneself. As such, no officials are present during games; the games are self-refereed and non-contact. This means that all participants must take responsibility for their own actions on the field. Consequently, this philosophy carries over to participant behavior off the field.
14. A person who experiences harassment is encouraged to make it known to the harasser (now the Respondent) that the behavior is unwelcome, offensive and contrary to this policy.
15. If confronting the Respondent is not possible, or if after confronting the Respondent, the harassment continues, the Complainant must contact his or her Team Captain.
  - a. If the Respondent is the Complainants Team Captain, the Complainant must contact the Chair of the Board of Directors (BOD).
  - b. If the Respondent is the Chair of the BOD, the Complainant must contact the Vice Chair of the BOD. In this case, the duties and responsibilities of the Chair to resolve harassment shall revert to the Vice Chair and an investigation shall be conducted.
16. Once contacted by a Complainant the role of the Team Captain/Chair of the BOD is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its resolution.

- a. The Complainants Team Captain is encouraged to involve and ask the assistance of the opposing Team Captain, if applicable. If the opposing Team Captain is contacted he or she shall assist the Complainants Team Captain in halting the harassment.
17. There are three possible outcomes to the meeting between the Complainant and the Team Captain/Chair of the BOD:
    - a. It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;
    - b. The Complainant may decide to pursue an informal resolution, in which case the Team Captain/Chair of the BOD, or a third party as determined by the Chair of the BOD, will assist the Complainant and Respondent to negotiate an acceptable resolution; or
    - c. The Complainant may decide to pursue a formal resolution, in which case the Chair of the BOD, or a third party as determined by the Chair of the BOD, will appoint an Investigator and a Panel.
  18. Ideally, the Investigator should be a person experienced in harassment matters and investigation techniques outside of the organization. He or she shall carry out the investigation in a timely manner and at the conclusion of the investigation shall submit a written report to the Chair of the BOD. The investigator shall complete the investigation and deliver the written report within three (3) weeks of appointment to the position of Investigator.
  19. Within seven (7) days of receiving the written report of the Investigator, the Chair shall appoint three (3) members from within HURL to serve as a Panel.
  20. At the discretion of the Chair, the investigation may be waived and a three (3) person Panel appointed within seven (7) days of receipt of a formal complaint.

## **DISCIPLINARY ACTION**

21. When determining appropriate disciplinary action persons with authority to assign disciplinary action shall consider factors such as:
  - a. The nature and severity 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 Respondent has been involved in previous harassment incidents;
  - g. Whether the Respondent admitted responsibility and expressed a willingness to change;
  - h. Whether the harasser retaliated against the Complainant.
22. The Panel shall be capable of assigning any or all of the disciplinary actions to the Respondent.

23. The Team Captain, with the consent of the opposing Team Captain, so long as the opposing team Captain is not the Respondent, shall be capable of assigning actions 24(a) – (c).
24. Disciplinary action may include any or all of the following:
  - a. Issuance of a verbal or written apology to the Complainant by the Respondent;
  - b. Verbal or written warning to Respondent;
  - c. Ejection of Respondent from the game or tournament in progress;
  - d. Suspension of Respondent from subsequent games or tournaments;
  - e. Suspension of Respondents membership or association with HURL, without refund;
  - f. Permanent suspension of Respondent membership or association with HURL.
25. Both the Complainant and Respondent shall have the right to appeal the decision of the Panel once (1) each. If an appeal is made, it shall be in writing to the Chair of the BOD. Upon receiving the appeal, the Chair shall dissolve the Panel and release the Investigator. The Chair shall appoint a new Panel of three (3) new members from within HURL and the matter begins again at Paragraph 18.

## **ACCOUNTABILITY**

26. The HURL BOD shall be responsible for ensuring that the harassment policy is communicated to all HURL members, employees, volunteers, agents and/or spectators. The team captains shall be responsible to communicate the intent and nature of this policy to team members.

## **CONFIDENTIALITY**

27. HURL recognizes the sensitive nature of harassment matters and in particular, the difficulties associated with coming forward with a complaint of harassment and with being accused of harassment. HURL recognizes the interests of both the Complainant and the Respondent in keeping any matter being dealt with under this policy confidential.
28. However, no absolute guarantee of confidentiality is made by HURL. Circumstances in which HURL may be required to disclose information, in whole or in part, relating to a harassment incident include:
  - a. When criminal conduct may be involved;
  - b. When required by law;
  - c. In the course of an investigation by a law enforcement agency;
  - d. To protect the interests of HURL.

## **DEFINITIONS**

- A. **Complainant:** Complainant refers to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. In this policy the term Complainant shall also be understood to mean person(s) or a team.
- B. **Discrimination:** Discrimination occurs when a person makes a distinction, whether intentional or not, based on a characteristic or perceived characteristic of an individual that has the effect of imposing burdens or disadvantages on the individual that are not imposed upon others. Discrimination may be based on, but not limited to, any or all of the following: Age; race; religion; creed; gender; sexual orientation; physical or mental disability; an irrational fear of contracting an illness or disease; ethnic, national or aboriginal origin; family status; marital status; source of income; and political belief, affiliation or activity.
- C. **Harassment:** Harassment shall include any comment, conduct or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, racist, hurtful, malicious, condescending, patronizing, degrading or otherwise causes offence, discomfort, or personal humiliation or embarrassment or that prevents an individual or group of individuals from enjoying Ultimate. Harassment shall include sexual harassment; discrimination; verbal, emotional or written abuse; hazing; physical violence; repeated actions of unsportsmanlike behavior; bullying; implied or expressed threats; and vandalism.
- D. **Hazing:** Hazing is ritualistic harassment, abuse, humiliation, or embarrassment used to initiate or confirm individuals as members of a social group or sport team.
- E. **Respondent:** Respondent is the person against whom a harassment complaint is made.
- F. **Sexual Harassment:** Sexual Harassment is objectionable, coercive, or vexatious comment, communication or attention of a sexual nature to a person or persons that is known, or ought reasonably to be known, to be inappropriate or unwelcome. Sexual Harassment is actions or communications with a sexual connotation that are directed at no person in particular, but that create an intimidating, demeaning or offensive environment. Sexual Harassment shall include, but not be limited to, the following:
- Any comment, communication, innuendo, joke or conduct that emphasizes sexuality or sexual orientation in what may be perceived as a humiliating, intimidating, aggravating, demeaning, or offensive context;
  - Any unwanted sexual request or advance, inappropriate touching, or sexual assault;
  - Any implied or expressed reprisal, or threat of reprisal, or denial of opportunity for refusal to comply with a sexually-oriented request;
  - Any implied or expressed reward for complying with a sexually-oriented request;
  - Displaying pornographic, offensive, or derogatory pictures or text;

