

Harassment Policy

1. Organization commitment

Perth Tay Tennis Club is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity.

Under the Ontario Human Rights Code, every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned or ignored at Perth Tay Tennis Club. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of club membership without refund of fees.

Perth Tay Tennis Club is committed to a comprehensive strategy to address harassment and discrimination, including:

- discussing the policy regarding individual rights and responsibilities
- promoting appropriate standards of conduct at all times
- providing an effective and fair complaints hearing process (see Appendix A).

2. Policy objectives

The objectives of this Policy are to:

Make sure that members and guests of Perth Tay Tennis Club are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization, as well as being a violation of the law.

Set out the types of behaviour that may be considered offensive and are prohibited by this policy.

Define an effective and fair complaints handling process that seeks to resolve issues in the least contentious and confrontational manner possible.

3. Confidentiality and Conflict of Interest

It can be extremely difficult to come forward with a complaint but it can be devastation to be wrongly accused of committing harassment. Therefore, both the complainant and the respondent have an interest in keeping the matter as confidential as possible. However, there may be an obligation to share relevant information with legal authorities, and it may not be feasible to maintain anonymity while conducting a fair investigation in which the respondent has a right to information about the complaint.

Perth Tay Tennis Club has a relatively small membership, where members know each other and play tennis with and against each other. Two definitions of conflict of interest are:

- A situation in which the concerns or aims of two parties are incompatible
- A situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

Knowing a person does not create a conflict of interest. A close relationship such as a relative, a romantic relationship, a business relationship or a “best friend” relationship probably create a conflict of interest.

Any person involved in handling an harassment situation should declare any conflict of interest immediately.

4. Applying the policy

The policy generally applies to any activities related to planning, organizing and playing tennis and maintaining the tennis facility at Conlon Farm Recreation Complex. It is unacceptable for members of Perth Tay Tennis Club to engage in harassment or discrimination of other members, guests, spectators, other tennis players on adjacent tennis courts, Town of Perth staff and contractors who may be involved in maintaining the facility, or with others they have professional dealings with.

This policy also applies to events that occur outside of the tennis facility such as club parties or club-sponsored visits to other tennis clubs.

5. List protected grounds

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds:

- 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)
- Race
- Ancestry
- Place of origin
- Ethnic origin

- Citizenship
- Colour
- Association or relationship with a person identified by one of the above grounds - Perception that one of the above grounds applies.

6. Key concepts

Any person who experiences harassment is encouraged to make it known to the harasser that the behavior is unwelcome, offensive and contrary to this policy. If there is good will the issue may be resolved without further intervention.

It is important to note that people experiencing harassment may not outwardly object to the harassing comments or conduct. People may feel unable to object. For example, they may be afraid of the consequences of speaking out. It doesn't matter if someone voices objections or not to the person making the unwelcome comments – they can still make a complaint and the behaviour can still be found to be harassment.

The following behaviour is prohibited:

Discrimination: means any form of unequal treatment based on a Code ground. 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, that is a violation of this policy.

Note that playing tennis is a sport that requires certain physical and mental skills and abilities. It shall not be considered discrimination when tennis teams and leagues are organized according to individual's abilities to enhance the play and enjoyment of all other participants.

Harassment: means 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 include, but are not limited to, the following:

- 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 because they are a member of a Code-protected group
- Comments ridiculing a person because of characteristics that are related to a ground of discrimination. For example, 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.
- 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.

Sexual and gender-based harassment: sexual harassment is a form of harassment that can include:

- 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
- Unwelcome physical contact
- Suggestive or offensive remarks or innuendoes 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.

Poisoned environment: a poisoned environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of the board of directors) that create a discriminatory environment. The comments or conduct need not be directed at a specific person, and may be from any person. A single comment or action, if sufficiently serious, may create a poisoned environment.

7. Roles and responsibilities

All persons in Perth Tay Tennis Club are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, and by cooperating fully in any investigation of a harassment or discrimination complaint.

The Board of Directors are responsible for the implementation of this policy. They have the additional responsibilities for:

- creating and maintaining a harassment- and discrimination-free organization, and should address potential problems before they become serious
- acting immediately on observations or allegations of harassment or discrimination

- ensuring that complaints are handled in a sensitive, responsible and timely manner
- informing both complainants and respondents of the procedures to be followed.

Perth Tay Tennis Club
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APPENDIX A
Procedure for Handling Complaints

Complaints must be submitted to the Board of Directors in writing including the following information:

- Name of person(s) who has done something that appears discriminatory or harassing (“Respondent”)
- Date(s) of the incident(s) or approximate date(s)
- Describe the incident(s) and what about the incident(s) has caused discomfort
- Name(s) of witnesses
- Name of person filing (“Complainant”) and the date of filing the document

The Board of Directors shall meet in-camera at their earliest convenience to begin the process of handling this complaint. After review of the complaint each Director shall determine if they have a conflict of interest in this matter, including any bias for or against any of the individuals involved. Those Directors not declaring a conflict of interest shall proceed as an ad hoc committee to confidentially process the complaint in an expeditious manner.

The ad hoc committee of the Board will select one member (“Negotiant”) to conduct the informal phase of the process. The Complainant shall be contacted to determine if they are willing to talk to or meet with Respondent to inform Respondent of their feelings in an attempt to resolve the issue between the two parties. The meeting can be arranged by the Complainant or by the Negotiant with conditions of the meeting set—in person or via electronic means; with or without a third party present. If such a meeting takes place it will be up to the Complainant to determine if the matter is closed or the ad hoc committee shall proceed.

If the Complainant does not want to meet with Respondent or the Complainant wishes the process to continue after meeting with Respondent then the ad hoc committee shall hold a complete interview with the Complainant. The ad hoc committee should determine that the allegations do not require referral to police or obtaining legal advice before proceeding.

The ad hoc committee shall request a meeting with Respondent. At the meeting with Respondent the ad hoc committee will suggest that Respondent take appropriate steps to remediate the situation with Complainant such as a letter of explanation and apology.

After the ad hoc committee has met with both parties and any witnesses as required the committee shall determine the appropriate action and notify both Complainant and Respondent in writing of the decision. All documentation shall be sealed and delivered to the Secretary, to only be opened if required by legal action.