
MALTON SOCCER CLUB

HARASSMENT POLICY 2006

MSC Policy 1.0 – HARASSMENT POLICY

For the purpose of this policy, retaliation against an individual

- For having filed a complaint under this policy; or
- For having participated in any procedure under this policy; or
- For having been associated with a person who filed a complaint or participated in any procedure under this policy, will be treated as harassment and will not be tolerated.

Victims of harassment must have avenues of recourse available to them, without fear of reprisal

For the purpose of this policy, the Malton Soccer Club shall

- Appoint two male and two female harassment officers to include the Directors or Officers of all MSC Activities and Programs. In the event of a Harassment Officer being of the one gender, the Harassment Director in charge will designate an alternate Harassment Officer of the opposite gender and communicate this appointment to staff.
- Appoint unbiased case review panels and appeal bodies and providing the resources and support they need to fulfill their responsibilities under this policy. Every Member and Registrant of the MSC has a responsibility to play a part in ensuring that the MSC sport environment is free from harassment. This means not engaging in, allowing, condoning or ignoring behavior contrary to this policy. In addition, any Member or Registrant of the MSC who believes that a fellow Member or Registrant has experienced or is experiencing harassment is encouraged to notify a Harassment Officer appointed under this policy.
- The MSC Executive Committee on an annual basis shall review this policy.

MSC Policy 2.0 - DEFINITION OF HARASSMENT

Harassment is defined as a comment, conduct, or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. For the purposes of this policy, sexual harassment is defined as any 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; or
- Such conduct has the purpose or effect of interfering with an individual's performance; or
- Such conduct creates an intimidating, hostile or offensive environment.

Types of behavior which constitute harassment include but are not limited to:

- Written or verbal abuse; or
- The display of 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;
- Leering or other suggestive or obscene gestures;
- Condescending, paternalistic or patronizing behaviour, which undermines self-esteem, diminishes performance or adversely affects working conditions;
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
- Unwanted physical contact including touching, petting, pinching or kissing;
- Unwelcome sexual flirtations, advances, requests or invitations; or
- Physical or sexual assault.

MSC Policy 3.0 - DEFINITION OF SEXUAL HARASSMENT

Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's participation, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- Inappropriate touching
- Making offensive sexual innuendos or remarks
- Being verbally abusive for reasons of gender
- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

MSC Policy 4.0 – RESPONSIBILITY FOR HARASSMENT POLICY

The Malton Soccer Club Board of Directors are responsible for the implementation of this policy. In addition, they are responsible for:

- Discouraging and preventing harassment within the Malton Soccer Club;
- Investigating formal complaints of harassment in a sensitive, responsible and timely manner;
- Imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender;
- Providing advice to persons who experience harassment;
- Doing all in their power to support and assist any Volunteer or Member of the MSC who experiences harassment by someone who is not an Volunteer or Member of the MSC;
- Making all Directors and Governing Associations aware of the problem of harassment, and in particular, sexual harassment, and of the procedures contained in this policy;
- Informing both complainants and respondents of the procedures contained in this policy and of their rights under the law;
- Regularly reviewing the terms of this policy to ensure that they adequately meet the organization's legal obligations and public policy objectives.
- Appointing unbiased case review panels and appeal bodies and providing the resources and support they need to fulfill their responsibilities under this policy.

MSC Policy 5.0 – CONFIDENTIALITY

Confidentiality is very often of prime concern to the person giving a complaint of harassment. Fear of reprisal or retaliation is a key factor. The right to confidentiality of all parties involved in a sexual or harassment charge shall be adhered to insofar as it does not interfere with Malton Soccer Clubs legal obligation to investigate allegations of misconduct when brought to the Organizations attention, and to take corrective action.

In order to protect the reputations of all individuals involved in an allegation of a sexual or harassment charge, confidentiality is assured to both parties. However, confidentiality is not the same as anonymity. In order to proceed with the informal procedure, mediation or the formal hearing, a complainant must be prepared to be identified. The individual(s) accused has the right to know what the allegation is and who made it.

For the purpose of this policy, the Malton Soccer Club

- Understands that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly accused or convicted of harassment. The MSC recognizes the interests of both the complainant and the respondent in keeping the matter confidential.
- 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 or other remedial process.
- Understands that situations where confidentiality cannot be maintained include circumstances when the complaint is filed formally, when the Malton Soccer Club is required by law to disclose information (such as in response to legal process), and when disclosure is required by the Organizations outweighing interest in protecting the rights of others.