RECOGNITION & PREVENTION OF HARRASSMENT & VIOLENCE POLICY

The Golf Association of Ontario, operating as Golf Ontario ("Golf Ontario"), is committed to providing a sport and work environment, which promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination, which is prohibited by human rights legislation in Canada. Golf Ontario supports the right of all its members, whether athletes, volunteers or employees, to participate in all Golf Ontario activities free from any form of harassment or violence. Further, Golf Ontario emphasizes the importance of eliminating harassment or violence in golf as a key element in ensuring the safety of young participants. A sports environment, which actively discourages harassment and violence and builds relationships based on trust and mutual respect, is an environment, which discourages the abuse of children and youth, and encourages the overall development of the individual. In order to further these aims, Golf Ontario will make every reasonable effort to respond swiftly and effectively to complaints or disclosures of harassment or violence.

Some behaviours which might be described as harassment or violence when directed towards an adult, may constitute abuse when directed towards a child or youth by any person with power or authority over the person harassed. The Recognition and Prevention of Abuse Policy covers such behaviours. Together, the two policies address the entire spectrum of abusive and harassing or violent behaviours.

Each Golf Facility is strongly encouraged to adopt a similar policy and to adapt it to regional or local requirements as appropriate.

Purpose and Scope:

It is the policy of Golf Ontario that harassment or violence in all its forms will not be tolerated during the course of any Golf Ontario activity or program. Accordingly, all Golf Ontario personnel (staff, volunteers, officials, partners, parents, and guardians) are responsible for making every reasonable effort to uphold this commitment. Specifically, this includes refraining from harassing behaviour, refraining from violent behaviour and following policy guidelines for reporting or responding to more serious complaints of harassment or violence. Players and other participants are expected to refrain from harassing or violent behaviour and are encouraged to report incidents of harassment or violence.

DEFINITIONS AND CLARIFICATIONS:

Definition of Harassment:

Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions. Any of the different forms of harassment may be based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (eg: player to player of the same age group, parent to official, coach to coach) or between someone in a position of power or authority and an adult in a subordinate position (eg: coach to player, sports administrator to employee).

The following is a non-exhaustive list of examples of harassment:

1. unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation etc.
2. condescending, patronizing, threatening or punishing actions which undermine self-esteem
3. practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety
4. any form of hazing
5. unwanted or unnecessary physical contact including touching, patting, pinching unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation, or which might on reasonable grounds be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or advancement
6. sexual assault or physical assault

It is important to note that the behaviours described in items 5 to 6, when directed towards a child or youth, constitute abuse under child protection legislation. This may also be true of other behaviours, for example, certain hazing practices. In such cases, the duty to report provisions of the Recognition and Prevention of Abuse Policy come into effect.

Definition of Violence:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- an attempt to exercise physical force against a worker, in a workplace, that causes or could cause physical injury to the worker
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker

Definition of Workplace:

Workplace is defined as anywhere that work is conducted during the course of all Golf Ontario business, activities and events.

Harassment and Abuse – Differences and Similarities:

	Abuse	Harassment
Types	Emotional, physical, sexual, lack of care	Emotional, physical, sexual; may be motivated by racial or other forms of prejudice
Victim	Any person under age of majority as determined by Provincial and Territorial Child Protection Acts; may be male or	Person of any age; may be male or female
Offender	Any person who has power or authority over victim and/or breaches trust; may be male or female	May be peer or person with power or authority over adult victim; may be male or female
Investigation	External to organization; referred to child welfare or police	Most often internal unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow-up actions	Determined by Provincial and Territorial Child Protection Acts and Criminal Code; civil suits may also occur	Determined by organization's harassment policies, Criminal Code, labour tribunals, civil action and/or Provincial Human Rights Tribunals; may be used concurrently
Philosophy	The victim is not to blame; offenders are responsible for their behaviour	The victim is not to blame; offenders are responsible for their behaviour

This policy uses the term "Complainant" to refer to the person who experiences harassment or violence, even though not all persons who experience harassment or violence will make a formal complaint. The term "harasser" refers to the individual that has allegedly done the act of harassment or violence. The term "Respondent" refers to the person against whom a complaint is made.

RESPONSIBILITY AND PROCEDURE:

Response and Remedies:

- It is the position of Golf Ontario that harassment cannot and will not be tolerated. Harassment is unacceptable and harmful. Golf Ontario recognizes the serious negative impact of all types of harassment on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.
- At the same time, Golf Ontario recognizes that not all incidents of harassment are equally serious in their

consequences. Harassment covers a wide spectrum of behaviours, and the response to harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment must be fair to all parties, allowing adequate opportunity for the presentation of a defence to the charges.

- It is also the position of Golf Ontario that violence cannot and will not be tolerated. Violence is unacceptable and harmful. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of violence must be fair to all parties, allowing adequate opportunity for the presentation of a defence to the charges.
- Golf Ontario recognizes the serious negative impact of all types of violence including domestic violence. Golf Ontario understands that domestic violence could enter the workplace. Golf Ontario will take every reasonable precaution to protect the worker from any domestic violence that is likely to expose a worker to physical injury at the workplace. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be no tolerance of reprisals taken against any party to a complaint. The names of parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purposes of investigation or taking disciplinary measures.
- Anyone making a complaint, which is found to be clearly unfounded, false, malicious or frivolous will be

subject to discipline.

- Procedures for the handling of complaints brought against employees, partners, directors or volunteers of Golf Ontario are detailed in the attached document "Recognition & Prevention of Harassment and Violence Complaint Procedures".

Duty to Report:

- Abuse and neglect are community problems requiring urgent attention. Golf Ontario is committed to prevent the abuse and neglect of participants. Golf Ontario realizes that persons working closely with children and youth have a special awareness of abusive situations. Therefore, these people have a particular reporting responsibility to ensure the safety of Canada's young, by knowing their provincial protection acts and following through as required.
- Every province and territory in Canada, except the Yukon, has mandatory reporting laws regarding the abuse and neglect of children and youth; the Yukon requests that concerns be reported. Golf Ontario personnel (part-time, full-time, Golf Ontario partners, parents, guardians, volunteers, and directors) who, have reasonable grounds to suspect that a participant is or may be suffering or may have suffered from emotional, physical abuse and neglect and/or sexual abuse shall immediately report the suspicion and the information on which it is based to the local child protection agency and/or the local police detachment. Across Canada a person is considered a child up to the age of 16 to 19 years depending on provincial legislation.
- Those involved with Golf Ontario in providing golf opportunities for participants understand and agree that abuse or neglect, as defined above, may be the subject of a criminal investigation and/or disciplinary procedures. Failure to report an offence and thereby, failure to provide safety for participants may render the adult who keeps silent legally liable for conviction under the provincial child protection acts.
- All Golf Ontario staff is responsible for the safety of their co-workers. Any employee that becomes aware of domestic violence, against another co-worker, that would possibly expose a worker to physical injury that may occur in the workplace, the employee shall take every precaution reasonable in the circumstances for the protection of the worker. All domestic violence must be reported and handled with sensitivity.

For detailed Procedure see Appendix 1

APPENDIX I

RECOGNITION & PREVENTION OF HARASSMENT AND VIOLENCE COMPLAINT PROCEDURES

Note: *For convenience, this policy uses the term "Complainant" to refer to the person who experiences harassment or violence,* even though *not all persons who experience harassment or violence will* make a *formal complaint. The term "harasser" refers to the individual that has allegedly done the act of harassment or violence. The term "Respondent" refers to the person against whom* a *complaint is* made.

APPLICATION:

- This policy applies to all Golf Ontario directors, officers, employees, volunteers, and members. It applies to harassment or violence that may occur during the course of all Golf Ontario business, activities and events.

REPORTING HARASSMENT OR VIOLENCE:

- A person who experiences harassment or violence is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to the policies of Golf Ontario.
- If confronting the harasser is not possible, or if after confronting the individual the harassment or violence
  continues, the Complainant should request a meeting with an Official of Golf Ontario. For the purposes of this Policy, an "Official" is any individual occupying a position of authority within Golf Ontario such as a Senior Staff Member, the Executive Director, or a Board Member.
- Once contacted by a Complainant the role of the Official is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its informal resolution. If the Official considers that he or she is unable to act in this capacity, the Complainant will be referred to another suitable Golf Ontario Official.

Where a person believes that a director, officer, employee, volunteer, participant or member of Golf Ontario has experienced or is experiencing harassment or violence and reports this belief to an Official, the Official will meet with the person said to have experienced harassment or violence and proceed in accordance with these procedures.

Where an Official believes there is sufficient evidence to warrant laying a formal complaint but the Complainant does not wish to do so, the Official may lay a formal complaint and proceed in accordance with these procedures.

COMPLAINT PROCEDURE:

There are four possible outcomes to a meeting of Complainant and Official:

- It may be determined that the conduct does not constitute harassment or violence as defined in this policy, in which case the matter will be closed;
- The Complainant may decide to pursue an informal resolution of the complaint, in which case a mediator,

as agreed to by both the complainant and the Respondent, will assist the two parties to negotiate or mediate an acceptable resolution of the complaint; or

- The Complainant may decide to lay a formal written complaint, in which case the Official will receive the written complaint and will advise the CEO/Executive Director of Golf Ontario, or designate, who will appoint an independent individual to conduct an investigation of the complaint; or
- The Complainant does not wish to proceed with a formal complaint but the Official decides that there should be an investigation. In other words, the Official should be allowed to advise the CEO/Executive Director of the complaint, whether, or, not the Complainant wishes to proceed.

The Investigator will carry out the investigation in a timely manner and at the conclusion of the investigation will submit a written report to the CEO/Executive Director, or designate, which will include a recommendation that:

- No further action be taken because the complaint is unfounded or the conduct cannot reasonably be said to fall within Golf Ontario's definition of harassment or violence; or
- The complaint has merit and should proceed to a hearing.

Within 10 business days of receiving the written report of the Investigator that recommends that there be a hearing, the CEO/Executive Director, or designate, will appoint three individuals to serve as a Panel.

At the discretion of the CEO/Executive Director, or designate, the investigation may be waived and a Panel appointed within 10 business days of receipt of a formal complaint.

HEARING:

The Panel will hold the hearing as soon as possible, but not more than 15 business days after the Panel has been appointed.

The Panel will govern the hearing as it deems appropriate in the circumstances, provided that:

- Members of the Panel shall select from among themselves a Chairperson;
- A quorum shall be all three Panel members;

- Decisions shall be by majority vote where the Chairperson carries a vote;
- The parties may be accompanied by a representative;
- The hearing will be held in private;
- The parties will be given 10 business days written notice of the day, time and place of the hearing;
- The Respondent will receive a copy of the formal complaint; The Complainant and Respondent will each receive a copy of the Investigator's report;
- Both the Complainant and Respondent will be present at the hearing to respond to the Investigator's report, give evidence and to answer questions of the Panel. The hearing may proceed in the absence of either or both parties;
- The Investigator may attend the hearing at the request of the Panel;
- Both the Complainant and the Respondent may ask questions of one another as well as the witnesses. The right to question people who are opposite in interest or called as witnesses is a fundamental of a fair hearing.
- The Panel may request that witnesses to the incident be present or submit written evidence;
- Once appointed, the Panel has the authority to abridge or extend timelines associated with all aspects of the hearing;
- In the event that one of the Panel's members is unable or unwilling to continue with the hearing, the matter will be concluded by the remaining two Panel members who will make their decision unanimously.

In order to keep costs to a reasonable level the Panel may conduct the hearing by means of a telephone conference.

DECISION:

As soon as possible, but in any event within 10 business days of the conclusion of the hearing, the Panel will provide its written decision to the Golf Ontario President, or designate, with a copy provided to both the Complainant and Respondent. The decision will contain:

- A summary of the relevant facts;
- A determination as to whether the acts complained of constitute harassment or violence as defined in this policy;
- Disciplinary action against the Respondent, if the acts constitute harassment or violence; and
- Measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute harassment or violence.

If the Panel determines that the allegations of harassment or violence are false, vexatious, retaliatory or

frivolous, its report may direct that there be disciplinary sanctions against the Complainant.

Disciplinary action may include but is not limited to; written warning, temporary suspension, dismissal from position with association, expulsion from event/activity, banishment from further association activities, reporting of incident to authorities.

Unless the Panel decides otherwise, any disciplinary sanctions applied shall take effect immediately.

The decision of the Panel will be final and binding upon the Complainant, the Respondent and Golf Ontario.

CONFIDENTIALITY:

Golf Ontario 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. Golf Ontario recognizes the interests of both the Complainant and the Respondent in keeping any matter being dealt with under this policy confidential, except where disclosure is required by a disciplinary proceeding or by law.

Recognition & Prevention of Harassment and Violence Policy

Signature Page

My signature acknowledges that I have read the Harassment and Violence Policy in its entirety. I acknowledge my understanding of the policies and procedures. I agree to abide by the policies and procedures while representing Golf Ontario's affairs, including my duty to report.

_____

(Signature)

_____

(Name-Printed)

_____

(Date)

Please return signed copy to Human Resources.