



Policy: Workplace Violence and Harassment

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1. Purpose

- 1.1** The Canadian Paralympic Committee (CPC) is committed to providing a safe welcoming and inclusive environment for everything within its sphere of influence and when carrying out all its activities. CPC is an athlete-centered organization which has identified the meeting of athlete needs as one of its top priorities. CPC commits to treating all individuals with respect which is characterized by the values of fairness, integrity, and open communication.
- 1.2** The CPC has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) as a standalone policy and has designated all CPC employees as UCCMS Participants subject to the UCCMS. Subject to their rights under employment laws, a CPC's employee may be sanctioned or disciplined pursuant to the UCCMS. A UCCMS Complaint involving UCCMS Participants will be administered by the Office of the Sport Integrity Commissioner (OISC). As such, employees acknowledge that they may be subject to proceedings initiated related to potential violations of the UCCMS, including, without limitation, accepting the jurisdiction of the OSIC/Abuse-Free Sport.
- 1.3** The CPC is committed to the prevention of workplace violence and harassment and is ultimately responsible for workers' health and safety. CPC does not tolerate, condone, or ignore any workplace violence and harassment, and will take whatever reasonable steps to protect CPC employees. The CPC is also committed to ensuring safe sport-related policies are well communicated to its employees.



- 1.4 In addition to workplace violence and harassment, the CPC does not tolerate, or condone any other behaviors that impact the safety of workers including but not limited to sexism, homophobia, and transphobia.
- 1.5 This policy will be interpreted in accordance with the laws of Ontario.
- 1.6 CPC has policies governing its sanctioned activities, including the UCCMS and a Code of Conduct. These policies form part of the terms and conditions of employment agreements. It is understood and agreed that any CPC policies may be revised and supplemented from time to time to reflect changing business needs and situations in the workplace and CPC's activities. Employees are expected to comply with the terms of the current policy that is in place. If any allegations of misconduct are made against an employee, the employee's behavior will be assessed against the terms of the policy that was in place at the time the events occurred.
- 1.7 Nothing under the OSIC/Abuse-Free Sport process or the UCCMS limits the ability of the CPC to exercise any rights as an employer, including taking any necessary disciplinary action under applicable workplace policies, legislation, or common law.

2. **Equity, Diversity & Inclusion**

- 2.1 This policy has been assessed for any implications it may have on inclusion, diversity, equity, and accessibility.
**DEI Phrase is currently under revision.*

3. **Scope of Policy**

- 3.1 Maltreatment or other Prohibited behaviors, including workplace violence and harassment in the workplace are unacceptable. This policy applies to all employees of CPC, including Board of Directors members and any Individuals accessing CPC's workplace for services. Everyone is expected to protect their own health and safety by complying with the law and safe work practices and procedures established and required by CPC.

4. **Responsibilities**

Everyone in the CPC community has a responsibility for minimizing the risks of workplace violence and harassment the particulars of which are set out in the following paragraphs:

The Board of Directors is responsible for:

- 4.1 Creating, promoting, and maintaining a safe workplace that is free from violence and harassment, racism, homophobia, transphobia, and sexism.
- 4.2 Reviewing and monitoring initial risk assessments and subsequent reviews.



CEO/Senior Leadership are responsible for ensuring that:

- 4.3 Providing corporate leadership on the implementation of this Policy in order to achieve organizational objectives.
- 4.4 Fostering a culture free from violence and harassment, through continuous learning and improvement, training, enhancing capacity, and sharing best practices internally.
- 4.5 Overseeing the implementation of CPC's Workplace Violence and Harassment Policy
- 4.6 Ensuring that this policy and procedure is accessible, available to, and supported by all staff; and
- 4.7 Ensuring CPC staff receives appropriate training on workplace violence and Harassment.

Employees are responsible for:

- 4.8 Not engaging in any behaviors that may be considered threats or acts of workplace violence and harassment of any kind;
- 4.9 Reporting acts of maltreatment, workplace violence, harassment, threats, or actual incidents of violence immediately; and
- 4.10 Informing the Health and Safety Representative (or Committee) if they are at risk for domestic violence and assisting the Committee in developing a safety plan.

Health and Safety Representatives (or Committee) are responsible for:

- 4.11 Providing advice to employees concerned about a threat of or actual violence or harassment situation; unless this presents a conflict of interest or creates a power dynamic in which case the employees can obtain support as outlined in 6.13. of this policy;
- 4.12 Abiding by and promoting the existence of the policy.
- 4.13 Providing training on the policy and procedure to all workers;
- 4.14 Intervening immediately when threats or incidences of violence or harassment occur;
- 4.15 Preventing and terminating Maltreatment, harassment, violence, or threats of violence by:
 - i. Communicating and supporting CPC's objective to provide and maintain a workplace free of violence;
 - ii. Not ignoring or condoning behaviour that is contrary to this policy and procedure;
 - iii. Taking all complaints seriously, conducting an initial assessment of the situation and reporting as required by this policy; and
 - iv. Not engaging in behaviour contrary to this policy.
- 1.1. Initiate the annual review of the workplace violence harassment policy and recommend any changes to the Board as applicable.

HR and Workplace Health Committee is responsible for:

- 4.17 Reviewing this Policy annually.



5. Definitions

- 5.1. "Abuse-Free Sports program" - Canada's independent system (a mechanism) and program for preventing and addressing Maltreatment in sports.
- 5.2. "Bullying" is repeated and persistent negative acts towards one or more individuals which involve a perceived power imbalance and create a hostile work environment. Workplace bullying also includes withholding support for a co-worker(s) in the context of work duties reasonably included in the job routine.
- 5.3. "Complaint" - unless it relates to a breach of the UCCMS involving UCCMS Participant for which such complaint shall be exclusively made to and administered by the OSIC (Office of the Sport Integrity Commissioner), a complaint of a breach of this policy made in writing to a Complaint Officer.
- 5.4. "Complainant" - the person making a Complaint.
- 5.5. "Complaint Officer" - the Canadian Paralympic Committee, CEO (Chief Executive Officer), Executive Director, Corporate Services or CPC Safe Sports Officer, if such position exists, or another individual identified by board resolution as a Complaint Officer.
- 5.6. "CPC" - is the Canadian Paralympic Committee.
- 5.7. "Directors or Sanctions and Outcomes" means the Abuse-Free Sports program's individual who has full authority to impose sanctions on UCCMS Participants;
- 5.8. "Discrimination" - denial of equal treatment which follows a practice that results in a negative impact for an individual, based on the prohibited grounds in accordance with the Ontario *Human Rights Code*.
- 5.9. "Domestic Violence" - violence committed by someone who is in a personal relationship with an Employee or Other (such as a spouse or former spouse, current or former intimate partner, or a family member).
- 5.10. "Harassment and violence" mean any action, conduct, or comment, including of a sexual nature, that can reasonably be expected to cause humiliation, offense, or other physical and/or pathological injury or illness to a CPC team member.

Harassment or violence against a person or group based on any protected characteristic may also be discrimination under the Ontario Human Rights Code. Characteristics include age, family status, marital status, race, religion, disability, sex, gender identity or expression, sexual orientation, genetic characteristics, conviction for which a pardon has been granted, national or ethnic origin, etc.

5.10.1. Violence includes, but is not limited to, the following:

- 5.10.1.1. Maltreatments and other Prohibited Behaviors as defined under the UCCMS;
- 5.10.1.2. Verbally threatening to attack a worker
- 5.10.1.3. Leaving threatening notes or sending messages threatening the Workplace;
- 5.10.1.4. Throwing objects at a worker
- 5.10.1.5. Shaking a fist in a worker
- 5.10.1.6. Hitting or trying to hit a worker

5.10.2. Harassment includes, but is not limited to, the following:

- 5.10.2.1. Verbal/psychological abuse including yelling, sudden and unpredictable angry outbursts, cursing or swearing at an individual or taunts;
- 5.10.2.2. Bullying or cyber bullying (use of technology) usually involves repeated incidents or a pattern of behavior that is intended to intimidate, offend, degrade, humiliate, or exclude an individual. Examples of bullying may include criticizing a person persistently or constantly, belittling a person's



- opinions, yelling, and screaming in front of others to humiliate an individual or spreading rumors or gossip;
- 5.10.2.3. Offensive or discriminatory comments.
 - 5.10.2.4. Unwelcome jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, religion, citizenship, or ancestry;
 - 5.10.2.5. Displaying or circulating offensive pictures or materials;
 - 5.10.2.6. Imitation of a person's accent or mannerisms;
 - 5.10.2.7. Inappropriate or unwelcome comments on a person's physical attributes or appearance; and
 - 5.10.2.8.** Deliberately impeding a person's work or withholding necessary information or purposefully giving the wrong information.
- 5.10.3. Sexual Harassment includes, but is not limited to the following:
- 5.10.3.1. Sexist jokes causing embarrassment or offense;
 - 5.10.3.2. Leering (suggestive staring), unwanted touching;
 - 5.10.3.3. Sexually derogatory or degrading remarks directed towards members of one sex or one sexual orientation;
 - 5.10.3.4. Sexually suggestive or obscene comments or gestures;
 - 5.10.3.5. Unwelcome inquiries or comments about a person's sex life;
 - 5.10.3.6. Unwelcome sexual flirtations, advances, and propositions;
 - 5.10.3.7. Openly displaying printed material of a suggestive or sexually offensive nature;
 - 5.10.3.8. Persistent unwanted contact or attention after the end of a consensual relationship;
 - 5.10.3.9. Persistent unwelcome social invitations;
 - 5.10.3.10. Requests for sexual favors;
 - 5.10.3.11. Verbal abuse or threats; and
 - 5.10.3.12. Sexual assault.

Please note: Reasonable day-to-day actions by a manager that helps manage, guide, or direct workers or the workplace are **not** harassment. Appropriate employee performance reviews, counseling, or discipline by a manager also do **not** constitute harassment

- 5.11. "Individuals" – means an individuals engaged in activities with the CPC including athletes, coaches, team managers, officials, volunteers, suppliers, contractors, parents/guardians, directors, officers, members, member representatives and committee members of the CPC.
- 5.12. "Maltreatment" – means psychological, physical, and sexual maltreatments as defined in the UCCMS.
- 5.13. "OSIC" – means the Office of the Sport Integrity Commissioner responsible for administering the UCCMS.
- 5.14. "Respondent" -means the person(s) against whom the complaint is made
- 5.15. "Safeguarding Tribunal" means the SDRCC's Tribunal making decisions related to provisional measures and/or sanctions imposed by the Director of Sanctions and Outcomes and the findings of a violation by an investigator;
- 5.16. "UCCMS" – means the Universal Code of Conduct to Prevent and Address Maltreatment in Sport administered by the OSIC.
- 5.17. UCCMS Participants – means individuals or organizations deemed subject to the UCCMS as determined by the CPC from time to time.
- 5.18. "Workplace"-Any place where business or work-related activities are conducted. This includes but is not limited to the CPC Offices, Paralympic Games and World Championships,



work-related social functions, work assignments outside CPC Offices, work-related travel, work-related conferences or training sessions and any approved alternative location that is not the CPC offices.

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5.20. "Writing" includes words written, printed, typewritten, painted, engraved, lithographed, photographed, or represented or reproduced by any mode of representing or reproducing words in visible, audible or any form and includes writing instrument and paper, email, text message, social media, and mobile.

6. Implementation

Any person found to have engaged in acts of Maltreatment, workplace violence, bullying or harassment against any other employee, worker, contractor, subcontractor, principal, customer, supplier, client or other third-party during business hours, or at any CPC event or client event, will be subject to appropriate disciplinary action, including: warnings, reprimands, suspensions, discharge and/or disciplinary actions up to and including termination of employment.

CPC pledges to investigate and deal with all incidents and complaints of workplace violence, bullying and harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.

6.1 Right to Refuse Work Where Threat of Workplace Violence Exists

No employees should work in a situation in which they believe 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 to the right to refuse work in the case of **Workplace Harassment** in which there is no threat to physical safety.

6.2 No Reprisals

CPC will not in any way retaliate against an individual who makes a report of 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 of employment.

6.3 Conspicuous Posting

This policy must be posted at a conspicuous place in the workplace per Section 32.0.1 of the *Occupational Health and Safety Act*.

6.4 Prohibition

CPC prohibits team members from engaging in any form of discrimination, domestic violence,



harassment, and violence in the workplace. CPC will not tolerate any forms of discrimination, harassment and violence from clients, vendors, and visitors, including when dealing with CPC team members (NSOs (National Sport Organizations) etc.).

* External parties (clients, vendors, visitors) may be reported to the appropriate authorities

6.5 Biennial Review

CPC shall conduct a biennial review of this policy and supporting program and add to or amend it as reasonably required from time to time based upon its experience and evolution of the law under the amendments to the *Occupational Health and Safety Amendment Act* as amended from time to time.

There is a workplace violence, bullying and harassment program that implements this policy. It includes measures and procedures to protect workers from workplace violence, bullying and harassment, a means of summoning immediate assistance, and a process for workers to report incidents or raise concerns. Everyone should refer to the supporting program for the specific procedures. In addition, the UCCMS and the OSIC process provide protection to employees subject to the UCCMS.

CPC will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence, bullying and harassment in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

6.6 Maltreatment, Workplace Violence, Bullying and Harassment Program Elements

To provide all members of the Canadian Paralympic Committee (CPC) staff with a safe work environment, CPC is committed to take appropriate action(s) whenever possible to eliminate or minimize the risk or threat of Maltreatment, bullying, workplace violence and harassment to all staff and visitors. This process begins with an initial risk assessment of the workplace.

6.7 Risk Assessment

CPC must conduct a risk assessment in any workplace in which a risk of injury to workers from workplace violence, bullying, or harassment arising out of their employment may be present.

When conducting the risk assessments CPC should consider:

- The nature of interactions between workers and the public
- The nature of the work environment
- The attributes of workers/clients
- Past history of incidents of violence in the workplace and in similar operations

This could include but is not limited to:



- A work site walk-about with affected staff
- Selected interviews with workers
- A review of crime or incident reports

Once the assessment has been conducted, reviewed and/or updated, CPC, its employees and individuals are required to follow the measures and procedures noted below which set out how to control the risk of Maltreatment, workplace violence and harassment, summon for immediate assistance, report, and investigate incidents and the potential consequences of same.

6.8 Measures and Procedures for Summoning Immediate Assistance

In the event of an immediate emergency or threat to one's physical safety or that of someone else, one should seek a safe location and call 911 immediately. Once the call has been made, it must be reported to the Executive Director, Corporate Services at the CPC Head Office – **(613) 212-5905** immediately thereafter.

The investigation of the incident will follow as soon as is practical after the appropriate emergency measures are taken.

6.9 Measures and Procedures for Reporting Incidents of Workplace Maltreatment, Violence, and Harassment

6.9.1 Duty to Report

If, in good faith, one believes that they, or any other employee or worker, has engaged in, or has been subject to Maltreatment, workplace violence, bullying, or harassment under this policy, including possible domestic violence, or if one witnesses any kind of Maltreatment, violence, bullying, or harassment under this policy, one **is required** to report all of the facts of the incident.

If, in good faith, management believes any other employee or worker, has engaged in, or has been subject to Maltreatment, violence, bullying or harassment, or sexual harassment under this policy, including possible domestic violence, or one witnessed any kind of violence, bullying or harassment under this policy, they **are required** to report all of the facts of the incident and action must be taken as outlined under this policy.

6.9.2 Incident Reporting Procedure

If the reported incident is a Maltreatment or Prohibited Behavior as defined in the UCCMS involving an employee designated as a UCCMS Participant, the complaint shall be exclusively made to and administered by the OSIC and not through this procedure.

The following guidelines shall be followed in the reporting and receiving of a report with respect to an incident:

- The report shall be made immediately after one becomes aware of the incident;



- Reports of workplace violence or harassment shall be made to the Executive Director, Corporate Services. Should circumstances require, one may also report such conduct to any Executive Director with whom one is comfortable discussing the matter;
- The report should be in writing and must include the names of the individuals involved, and detail dates, times, places, and witnesses, insofar as they are known to the Complainant. This report shall be referred to as a "Complaint;"
- Any other person receiving a verbal report shall make a complete written account of the reporting of the Complaint, and have it reviewed and signed by the informant for accuracy.
- Once a Complaint has been received, it shall be forwarded to a Complaint Officer who will conduct an impartial investigation of the incident; and
- Frivolous or vexatious complaints will be dealt with seriously and subject to disciplinary actions. However, there will be no consequences for reports made in good faith.

6.10 Measures and Procedures to Investigate and Deal with Incidents or Complaints:

6.10.1 Process

All reported threats or incidents will be considered serious and will be investigated promptly with appropriate action taken as follows:

- The investigation process shall involve interviews of the complainant, the respondent and any witnesses named by either;
- The Complaint Officer shall maintain notes and records of all witness interviews. Witnesses will review the Complaint Officer's notes and make corrections immediately following the interview;
- All CPC employees are required to cooperate with the investigation process and are prohibited from discussing with each other the evidence conveyed or to be conveyed to the investigator during the investigation. Witnesses shall be interviewed individually, and efforts made to ensure that witnesses do not discuss their evidence with each other in advance of being interviewed;
- During the investigation, the alleged victim will normally remain, during normal working hours, in a safe place that is as near as possible to their ordinary place of work so as to remain available to the investigator throughout the investigation. The informant, alleged victim, or others, may be relocated during an investigation or requested to work from home if necessary;
- All complaints shall be handled in a confidential manner to the extent possible and in accordance with CPC's legal obligations. Any report, concern complaint or incident will be treated confidentially to the extent possible, including the identity of the person who reported discrimination/harassment/violence, any person impacted by the prohibited



conduct, and any person alleged to have contravened the policy, and any witnesses, except where disclosure is necessary to investigate the complaint or to take corrective action with respect to the complaint or required by law. The CPC will only disclose the minimum amount of personal information or details necessary for these purposes.

- Where CPC believes there to be an imminent danger to an employee, it may divulge such confidential information as is reasonably necessary;
- The Complaint Officer shall then compile a **Report of the Investigation** summarizing the allegations, steps taken in the investigation, evidence gathered, and findings of the investigator. All reasonable efforts shall be made to ensure that this report is completed within 15 days following receipt of the Complaint.

6.10.2 Outcome/Consequences

Following the Investigation Report, CPC shall make a determination about whether the offending conduct occurred and communicate this finding to the Respondent and the Complainant.

Employees found to have perpetrated or threatened a UCCMS Maltreatment or Prohibited Behavior or an act of violence or harassment in the workplace may be subject to disciplinary action and/or termination of employment. The action will be commensurate with the severity of the offense and will be made known to the victim.

Action may include any or all of the following:

- Reprimand
- Education/Training
- Apology Requirements
- Transfer
- Counseling
- Alternate Dispute Resolution (“ADR”)
- Suspension with pay
- Suspension without pay
- Termination of employment
- Any other disciplinary sanctions imposed by the OSIC, the Director of Sanctions and Outcomes or the Safeguarding Tribunal

Similarly, deliberate false accusations are of an equally serious nature and will also result in disciplinary action up to and including termination of employment.

The police will be notified in all instances of reported behaviour that constitutes criminal activity, or which following an investigation is believed to constitute criminal activity.

6.11 Complaints Against Third Parties

In the case of a report of a potential threat of violence, bullying, or harassment by a third party, such as in the case of **domestic violence**, the identity of the third party and identifying features will be communicated to all employees, contractors, subcontractors, and others who may need to be



aware in order to attempt to protect the worker. While individual privacy will be respected to the extent possible, communication will be required as is necessary in order to address the threat.

If the CPC becomes aware that domestic violence is likely to expose an Employee to physical injury in the workplace, the CPC will take every precaution reasonable in the circumstances for the protection of the Employee.

The CPC will provide appropriate assistance to any employee who is a victim of violence or harassment. To that extent, employees will have access to the Employment Assistance Program (EAP) by calling: 1-800-661-8193 and the CPC health benefit plan that provides mental health support and coverage.

7.0 Revision History

This policy was first approved by the Board of Directors in November 2015.

Subsequently revised on:

- January 2016
- July 2019
- January 30, 2021
- December 2022
- June 2023

The policy will be reviewed annually.