

Harassment Policy

The policy sets out the principles and practices of the British Columbia Golf Association regarding harassment.

1. The BCGA supports the principles set out in the Canadian and British Columbia Human Rights Codes.
2. The BCGA supports the right to freedom from harassment in all aspects of the athletic, volunteer or employment relationship between its members including sexual harassment.
3. The BCGA shall appoint a Harassment Advisor and Officer each year and communicate their names to the membership.
4. The BCGA is also committed to communicate their names to the membership.
5. The BCGA is committed to make every reasonable effort to educate volunteer members and employees as to the problem of harassment and sexual harassment, and the procedures contained in this policy.
6. It is the responsibility of all BCGA employees and volunteer members to ensure that they make every reasonable effort to comply with this commitment in the athletic, volunteer or employment relationship with athletes, volunteers and employees under their supervision and control.
7. If the Complainant is a minor, a “Responsible Adult” may bring the complaint forward.
The Responsible Adult will have the right to act on behalf of the Complainant during all the proceedings under the complaint process.
8. Harassment takes many forms and is difficult to define but can be generally defined as behavior, one or a series of incidents, which includes comments, conduct or gestures, sexual advances, requests for sexual favors, verbal conduct of a sexual nature which are embarrassing, insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals or which relates to an uncomfortable work environment.

Harassment may include:

- a) Written or verbal abuse or threats;
- b) Physical assault;
- c) Racial or ethnic slurs;
- d) Unwelcome remarks, jokes, innuendo, or taunting about a person’s body, sexual orientations, attire, age, marital status, ethnic or racial origin, religion etc.;
- e) Displaying sexual explicit, racist or other offensive or derogatory material;
- f) Sexual, racist, ethnic or religious graffiti;
- g) Practical jokes which cause awkwardness or embarrassment, endangering a person’s safety or negatively affecting performance;
- h) Vandalism;
- i) Hazing or initiation rites;

- j) Leering or other suggestive or obscene gesture;
- k) Intimidation;
- l) Condescension, paternalism or patronizing behavior which undermines self respect or adversely affect performance or working conditions;
- m) Conduct, comments, gestures or contact of a sexual nature that is likely to cause offense in humiliation or, that might on reasonable grounds, be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or advancement.

9. In the event the complaint is extreme in nature (stalking, threats to kill, to cause serious bodily harm or to destroy property, assault with a weapon, assault causing bodily harm or aggravated assault, sexual assault with a weapon, sexual assault causing bodily harm or aggravated sexual assault, sexual interference, invitation to sexual touching or sexual exploitation) the concerned person shall be informed by the BCGA Harassment Officer as to the avenues available to them regarding the discriminatory practice provision of the Canadian Human Rights Act that pertains to the rights of persons to seek redress under the Act and/or reporting the matter to the local police force for action under the Criminal Code of Canada or other legislation that may apply. In all cases of an extreme nature, the Harassment Advisor or Officer shall pursue the investigation even when the complainant decides they do not wish to pursue it further.
10. Incidents brought to the attention of the BCGA will be addressed in an expeditious, sensitive, responsible and confidential manner with no reprisals to the concerned individuals, The names of the concerned individuals or the circumstances related to the complaint will not be disclosed to any person except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures.
11. Disciplinary sanctions will be levied for violations of the Policy as appropriate up to and including dismissal from employment and/or expulsion from membership in the BCGA.
12. Individuals who make allegations, which are clearly unfounded, false, vexatious, and frivolous or who make allegations for any collateral or otherwise improper motive, will be subject to potential discipline.

Complaint Procedure:

1. Any BCGA member, volunteer, or employee who believes he or she is being harassed by a member, volunteer, or employee of the BCGA should, if practical, immediately inform the harassing individual that his or her behavior is not welcome and is offensive.
2. Any concerned person (Complainant) who, after confronting the Respondent, the conduct continues should seek the advice of a Harassment Advisor.
3. The Harassment Advisor shall inform the Complainant of:
 - a) The option of pursuing an informal resolution of the complaint.
 - b) The right to have the formal written complaint investigated and dealt with formally.
 - c) The availability of counseling and other resources.
 - d) Confidentiality provisions of the policy.

- e) The right to be represented by a person of his/her choice or legal counsel.
- f) To proceed formally by filing a complaint under the Human Rights Act or by proceeding by taking the complaint to the local Police Force for investigation.

4. If the complaint cannot be resolved through informal mediation and the Complainant wishes the complaint to be investigated by a Harassment Officer and it is agreed that the conduct does constitute harassment, the Harassment Advisor shall obtain a detailed statement in writing outlining the details of the incident(s), witness and date and have the Complainant sign the statement. The complaint shall be forwarded to a Harassment Officer for investigation.

5. The Harassment Officer shall:

- a) Review the written complaint and provide the Complainant and Respondent with a copy of the complaint and a copy of the BCGA Harassment Policy.
- b) Request a written response, within ten (10) days of receiving the written complaint, from the Respondent.
- c) Within 60 days of receiving the initial written complaint, the Harassment Officer shall conduct an investigation and prepare a written investigation report.
- d) The written report should contain:
 - Did the acts in question constitute harassment;
 - Nature of the harassment;
 - Did it involve physical contact;
 - Relationship between parties;
 - Relative ages;
 - Respondent had previous incidents;
 - Any retaliation against complainant;
 - Severity of the conduct;
 - Number and frequency of encounters;
 - Apparent intent of the harasser;
 - Relationship of the people involved;
 - Victim's provocation;
 - Response of the victim;
 - Men/Women ratio;
 - Recommendation of disciplinary action;

Forward report to the President of the BCGA.

6. On receipt of the Harassment Officer's report, the President of the BCGA shall:

- a) Within ten (10) days of receipt of the Harassment Officer's report refer the report to the Discipline Committee, consisting of a Chairman and two members for review;
- b) The Discipline Committee, after considering the report, shall:
 - Determine if the Respondent has engaged in conduct constituting harassment.
 - If it is determined that the Respondent has engaged in conduct that constitute harassment, order such discipline as they feel is appropriate under the circumstances.
 - That discipline may include:
 - A verbal apology; written apology;
 - Letter of reprimand; fine or levy;

- Referral to counseling;
 - Sensitivity training on harassment issues;
 - Removal of certain privileges of membership or employment;
 - Demotion or pay cut;
 - Temporary suspension without pay;
 - Termination of employment contract;
 - Expulsion of membership.
- c) The Discipline Committee shall, within ten (10) days, send a notice to the Complainant and the Respondent setting out its decision.
7. If the Respondent or the Complainant is dissatisfied with the decision he/she may, within thirty (30) days, appeal that decision to the BCGA by filing an appeal in writing and setting out the grounds for the appeal.
8. On receipt of the Appeal Notice, the President of the BCGA shall appoint a Tribunal composed of three (3) persons, two (2) of whom shall be Directors of the BCGA, one from the appellant's peers, to hear that appeal.
9. The Tribunal shall, within seven (7) days, determine if there are sufficient grounds for an Appeal.
10. If the grounds are upheld, set the time and date for a Hearing and give notice to all parties thirty (30) days in advance of the date/time and location of the appeal.
11. The notice shall contain advice to the parties that they should bring relevant witnesses, information, and that they are entitled to be represented at the hearing.
12. Within ten (10) days after completing the hearing, send a notice of the decision by registered mail to the Complainant and Respondent.