



WHISTLEBLOWER

Approved by: PSO Management Committee	Review Period: Every 2 years
Date of Approval: March 16, 2025	Next Review Period: February 28, 2027

PURPOSE

Baseball Manitoba is committed to fostering an environment conducive to open communication regarding the business practices of the Baseball Manitoba and to protecting workers from unlawful retaliation and discrimination for their having properly disclosed or reported illegal or unethical conduct.

POLICY STATEMENT

Baseball Manitoba will ensure there is a method for employees to report or disclose illegal or unethical conduct committee by Directors or others employed by Baseball Manitoba, in a safe, confidential and anonymous manner.

DEFINITIONS

- “*Participants*” – Refers to all categories of individual members and/or registrants defined in the By-laws of Baseball Manitoba who are subject to the policies of Baseball Manitoba, as well as all people employed by, contracted by, or engaged in activities with, Baseball Manitoba including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers
- “*Report (or Reported)*” – as defined in the *Code of Conduct and Ethics*
- “*Worker*” – Any person who performs work for Baseball Manitoba including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors
- “*Wrong Doing*”- is defined as:
 - a. Violating the law;
 - b. Intentionally or seriously breaching of the *Code of Conduct and Ethics*;
 - c. Committing or ignoring risks to the life, health, or safety of a Participant, volunteer, Worker, or other individual;
 - d. Directing an individual or Worker to commit a crime, serious breach of a policy, or other wrongful act; or
 - e. Fraud



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APPLICATION /SCOPE

1. Reports of actions or conduct committed by a Baseball Manitoba employee or Director, that is believed to be unethical, illegal or contrary to Baseball Manitoba's policies, may be received by Baseball Manitoba, by any means of communication. These actions may include but are not limited to:
 - 1.1. Accounting, internal controls, disclosure, or business practices**
 - 1.2. Discrimination, harassment, violence or abuse against a Worker by a Director or another Worker;**
2. Employees may choose to make reports of unethical or illegal conduct by a Director or employee, in a confidential and anonymous manner (eg. Letter, voicemail)
3. Baseball Manitoba commits to not dismiss, penalize, discipline, retaliate or discriminate against a Baseball Manitoba employee who discloses information or submits, in good faith, a report against another employee or Director.
4. No acts of retaliation shall be committed against an employee for submitting a report of wrongdoing
5. Baseball Manitoba will discipline any person who commits any act of retaliation or reprisal against a person has reported under this policy
 - 5.1. Any employee of Baseball Manitoba who commits an act of retaliation or reprisal will be subject to discipline up to and including termination of employment.**
 - 5.2. Directors will be subject to expulsion from the Management Committee.**
6. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Baseball Manitoba can be reported under the terms of the *Discipline and Complaints Policy* and/or reported to Baseball Manitoba's Management Committee or senior staff person to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or the organization's policies for human resources.
7. Matters reported under the terms of this Policy may be referred to be heard under the *Discipline and Complaints Policy*, at the discretion of the Compliance Officer (VP of Policy).

REPORTING

8. A worker who believes that a director or an employee has committed an incident of wrongdoing should prepare a Report that includes the following:
 - 8.1. written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
 - 8.2. Identities and roles of other individuals or employees (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
 - 8.3. Why the act or action should be considered to be wrongdoing; and
 - 8.4. How the wrongdoing affects the employee submitting the report (unless submitting anonymously).

AUTHORITY

9. Under this policy, the following may receive and handle Whistleblower complaints:
 - 9.1. Compliance Officer - VP of Policy
 - 9.2. Alternate Liaison – VP of Finance

**current contact information can be located on the Baseball Manitoba Website
<https://www.baseballmanitoba.ca/content/Management-Committee>
- 10 A Worker who is unsure if they should submit a report, or who does not want to have their identity known, may contact the either the Compliance Officer or Alternate Liaison for informal advice about the process
- 11 If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report, the Worker should contact the Alternate Liaison who will act as an independent liaison between the Worker and the Compliance Officer.
 - 11.1 The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with Baseball Manitoba without the Worker's consent.

PROCEDURE -RECIPE OF REPORT

11. After receiving the report, the Compliance Officer has the responsibility to:
 - 11.1. Assure the Worker of the **Pledge**
 - 11.2. Connect the Worker to the Alternate Liaison if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report
 - 11.3. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the Worker that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith
 - 11.4. Determine if the *Whistleblower Policy* applies or if the matter should be handled under the *Discipline and Complaints Policy*
 - 11.5. Determine if the local police service needs to be contacted
 - 11.6. Determine if mediation or alternative dispute resolution can be used to resolve the issue
 - 11.7. Determine if the President and/or senior staff person should or can be notified of the report
 - 11.8. Begin an investigation

Investigation

12. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, the President and/or senior staff person may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the Report being disclosed. The President and/or senior staff person may not unreasonably refuse the decision to contract an external investigator.

13. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
 - 13.1 Follow-up interview with the Worker who submitted the report
 - 13.2 Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
 - 13.3 Interviews with such-affected individuals
 - 13.4 Interview with the Director(s) or Worker(s) against whom the Report was submitted
 - 13.5 Interview with the supervisor(s) of the Worker(s) against whom the report was submitted, if applicable
14. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the President and/or senior staff person for review and action.

Decision

15. Within fourteen (14) days after receiving the Investigator's Report, the President and/or senior staff person will take corrective action, as required. Corrective action may include, but is not limited to including:
 - 15.1 Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - 15.2 Revision of job descriptions; or
 - 15.3 Discipline, suspension, termination, or other action as permitted by the By-laws, provincial employment legislation, applicable policies for human resources, and/or the Worker's Employment Agreement or Contractor Agreement.
16. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
17. Decisions made under the terms of this Policy may be appealed under the terms of the *Appeal Policy* provided that:
 - a. If the Worker who submitted the initial report is appealing the decision, the Worker understands that their identity must be revealed if they submit an appeal, and
 - b. If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that Baseball Manitoba will act as the Respondent

Confidentiality

18. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s), or Director(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.
19. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, the Baseball Manitoba recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.