



WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow Workers¹ to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by directors or by other Workers.
3. An Individual who is not employed or contracted by Lacrosse Canada that observes a Worker engage in wrongdoing or misconduct can file a report with Lacrosse Canada's Independent Third Party or Executive Director. Such complaints will be handled under the terms of the Worker's employment agreement or contractor agreement, as applicable, and/or any other relevant and applicable Lacrosse Canada policy.
4. Matters reported under the terms of this Policy may be referred by the Independent Third Party to be heard under Lacrosse Canada's *Discipline and Complaints Policy*, at their sole discretion.
5. Lacrosse Canada has adopted the UCCMS which applies to all individuals designated by Lacrosse Canada as UCCMS Participants. Any alleged breaches of the UCCMS by a UCCMS Participant should be reported to the OSIC, in which case the policies and procedures of the OSIC will govern.

Wrongdoing

6. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Intentionally or seriously breaching of Lacrosse Canada's *Code of Conduct and Ethics*;
 - c) Intentionally or seriously breaching Lacrosse Canada's policies for workplace violence and harassment;
 - d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other Individual;
 - e) Directing an Individual or Worker to commit a crime, serious breach of a policy of Lacrosse Canada, or other wrongful act; or
 - f) Fraud.

Pledge

7. Lacrosse Canada pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.

¹ "Worker" has the meaning set out in the Ontario *Occupational Health and Safety Act*, as amended.



8. Any Individual affiliated with Lacrosse Canada who breaks this pledge will be subject to disciplinary action, up to and including termination of employment.

Reporting Wrongdoing

9. A Worker who believes that a director or another Worker has committed an incident of wrongdoing should prepare a report that shall include the following:
 - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
 - b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
 - c) Why the act or action should be considered to be wrongdoing; and
 - d) How the wrongdoing affects the Worker submitting the report (if applicable).
10. Reports of wrongdoing shall be reported to the Independent Third Party within fourteen (14) days of the alleged incident.
11. After receiving the report, the Independent Third Party has the responsibility to:
 - a) Assure the Worker of Lacrosse Canada's pledge
 - b) 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)
 - c) Determine if Lacrosse Canada's *Whistleblower Policy* applies or if the matter should be handled under Lacrosse Canada's *Discipline and Complaints Policy*
 - d) Determine if the local police service be contacted
 - e) Determine if mediation or alternate dispute resolution can be used to resolve the issue
 - f) Determine if Lacrosse Canada's President and/or Executive Director should or can be notified of the report
 - g) Determine whether an investigation is required and, if so, facilitate an investigation that is appropriate in the circumstances

Investigation

12. If the Independent Third Party determines that an investigation should be launched, they may decide to contract an external investigator. In such cases, Lacrosse Canada's Executive Director and/or President 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. Lacrosse Canada's Executive Director and/or President may not unreasonably refuse the decision to contract an external investigator
13. Where an external investigator is appointed, the Independent Third Party shall take into consideration the nature of the allegations and the financial resources of Lacrosse Canada.
14. An investigation launched by the Safe Sport Officer or by an external investigator should generally take the following form:



- a) Follow-up interview with the Worker who submitted the report
 - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing and, where appropriate, interviews with such affected individuals
 - c) Interview with the Director(s) or Worker(s) against whom the report was submitted
 - d) Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted, where necessary and appropriate
15. 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, Lacrosse Canada 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.
16. The investigator will prepare a report – omitting names whenever possible to ensure confidentiality – that will be submitted to Lacrosse Canada’s President and/or Executive Director to determine whether action pursuant to Section 17 below should be taken.

Decision

17. Within fourteen (14) days after receiving the Investigator’s Report, Lacrosse Canada’s President and/or Executive Director will take corrective action, as required. Corrective action may include, but is not limited to including:
- a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - b) Revision of job descriptions; or
 - c) Discipline, suspension, termination, or other action as permitted by Lacrosse Canada’s bylaws, provincial employment legislation, any relevant and applicable Lacrosse Canada policy, and/or the Worker’s employment agreement or contractor agreement.
18. The corrective action, if any, will be communicated to the Independent Third Party who will then inform the Worker who submitted the report.
19. Decisions made under the terms of this Policy may be appealed under the terms of Lacrosse Canada’s *Appeal Policy* provided that:
- a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits 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 Lacrosse Canada will act as the Respondent

Confidentiality

20. 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) against whom the report is submitted, and the individuals interviewed during the investigation) to the greatest extent possible.



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Information will only be disclosed for the purpose of fully investigating the report or where required by law (including, but not limited to, where the disclosure of information is necessary to ensure the safety of other Workers). An individual who intentionally breaches the confidentiality clause of this Policy may be subject to disciplinary action.