

**CALGARY UNITED SOCCER ASSOCIATION  
HUMAN RESOURCE POLICY  
HARASSMENT AND DISCRIMINATION  
HRP01**

**Overview:**

Calgary United Soccer Association, CUSA, will take every reasonable measure to ensure that no Member of the Board, employee and volunteer is subject to harassment or discrimination from any source within the organization's governing and managing of its employees and volunteers.

The Value Statements of the Association will be considered throughout all matters pertaining to Board, Employee and Volunteer management.

- Leadership:** *We lead with commitment and compassion, building trust through delivering on expectations and meeting our responsibilities.*
- Integrity:** *We act with transparency, fairness, justice, honesty, consistency, and are committed to ethical practice.*
- Competence:** *We demonstrate and develop skills in order to deliver on our promises, our beliefs and our commitments.*
- Stewardship:** *We are responsible to maintain and grow our century-old organization through sound judgment and accountability.*
- Respect for others:** *We are equal, fair and inclusive in participation, open to differing experiences and points of view, and committed to the richness of diversity.*

**Purpose:**

CUSA is committed to a respectful, harassment-free work environment. Organization wide this policy is intended to prevent harassment and discrimination of any type, including sexual harassment, of its employees and volunteers and to deal quickly and effectively with any incident that might occur.

**Definition of harassment**

Harassment occurs when an individual is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, place of origin, gender, sexual orientation, age, mental or physical disability, ancestry, marital status, family status or source of income. Alberta human rights laws prohibit harassment in the workplace on these grounds.

Harassment covers a wide range of offensive behavior. It is commonly understood as behavior intended to disturb or upset. In the legal sense, it is behavior which is found threatening or disturbing. Within CUSA harassment also includes bullying, hazing, and electronic communication.

Examples of harassment which will not be tolerated in CUSA are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any individuals' appearance, religious beliefs, colour, place of origin, mental or physical disabilities, ancestry, marital status, family status, source of income or gender. CUSA also will not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit.

### **Definition of sexual harassment**

Sexual harassment, being discrimination on the grounds of gender, is a violation of the Alberta Human Rights, Citizenship and Multiculturalism Act. Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term of, or condition of, an individual's employment; or
2. submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. The behaviour need not be intentional in order to be considered sexual harassment.

All harassment is offensive and in many cases it intimidates others. It will not be tolerated within the Association.

### **Definition of discrimination**

Discrimination is often divided into two categories: direct discrimination and indirect or adverse impact discrimination.

Direct discrimination can include such things as refusal to work with a person or the refusal to provide services or access to facilities, when the refusal is based on that person's race, religious beliefs, colour, gender, physical disability, mental disability, marital status, age, ancestry, place of origin, family status, source of income, sexual orientation or political belief.

Direct discrimination tends to be quite blatant and not that common. Most cases of discrimination are more subtle; often there is no "intention" to discriminate but the impact is discriminatory. For this reason, the law provides that it is not necessary to prove intent for a case of discrimination to be upheld, but rather, simply that discrimination has taken place. Indeed, the legal burden of proof is the civil burden, usually referred to as "based on a balance of probabilities."

Indirect or adverse impact discrimination is more difficult to define. It arises when an apparently neutral rule or standard which is not discriminatory on its face, nevertheless adversely affects certain members of the group to whom it applies.

Indirect or adverse impact discrimination can include such things as inflated or non-job-related requirements that screen out applicants or a workplace practice that has the effect of excluding people, because of race, religious beliefs, colour, gender, physical disability, mental disability, marital status, age, ancestry, place of origin, family status, source of income, sexual orientation or political belief.

Indirect or adverse impact discrimination is more common but not necessarily as apparent. An issue which sometimes arises following a finding of this type of discrimination is whether the person who is the subject of the discrimination can be reasonably accommodated.

**Procedure:**

Anyone who believes they are being harassed or discriminated against should:

1. Tell the harasser his/her behaviour is unwelcome and ask them to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time.
3. File a complaint. If, after asking the harasser to stop their behaviour, the harassment continues, report the problem to one of the following individuals:

| <b><u>Complainant</u></b>           | <b><u>Respondent</u></b>                   |
|-------------------------------------|--|
| Board or Committee Member/Volunteer | President of Association                   |
| President or Executive Director     | Member of the Executive of the Association |
| Employee                            | Executive Director                         |

**Note:** Members complaints shall be directed to the CUSA Discipline Committee. Referees submitting a complaint, other than that submitted about a member on a Misconduct Report, will be directed to the Referee Affairs Committee.

The person who believes they are being harassed has the right to contact the Alberta Human Rights and Citizenship Commission to file a complaint of sexual harassment and, if circumstances warrant it, a charge of assault may be filed with the police exists for an individual to action. *Once a formal complaint is filed with the Alberta Human Rights and Citizenship Commission or an investigation is commenced by the police CUSA will cease all internal processes until the external agency's process has been exhausted. Upon completion of the external agency process CUSA may determine to commence an investigation itself or accept the external agency actions as final.*

**Dealing with a complaint:**

Once a complaint is received, it will be kept strictly confidential. An investigation will be undertaken immediately and all necessary steps taken to resolve the problem. All complaints are to be handled in confidence. Access to the information and the outcome of any investigation is strictly limited.

Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.

If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser's file. No documentation will be placed on the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not.

If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.

If appropriate, action taken may include conciliation.

Regardless of the outcome of a harassment complaint made in good faith, the individual lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the company or harassment of an individual as a result of their having made a complaint or having provided evidence regarding the complaint.

**Responsibility of CUSA:**

It is the responsibility of a Director, volunteer, or any person within CUSA supervising an employee to take immediate and appropriate action to report or deal with incidents of harassment or discrimination of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.

CUSA seeks to provide a safe, healthy, respectful and rewarding environment for its employees and volunteers. CUSA recognizes that it has a responsibility for discouraging and preventing harassment, investigating every complaint of harassment and imposing strict disciplinary measures if a complaint is founded. CUSA also recognizes that it has a responsibility of maintaining confidentiality and to ensure awareness by all employees and volunteers of CUSA of the existence of this policy.

A complaint to the Alberta Human Rights and Citizenship Commission must be made within one year of the alleged incident.