

Section 6 – HARASSMENT

1.0 General

- 1.1 Manitoba Lacrosse is committed to providing opportunities for all individuals in the sport of lacrosse to reach their potential in fitness and excellence. In keeping with the spirit of this statement Manitoba Lacrosse is committed to providing a sport and work environment, which promotes equal opportunities and prohibits discriminatory practices.
- 1.2 Harassment is a form of discrimination. Harassment is prohibited by human rights legislation in Canada.
- 1.3 Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offense under Canada's Criminal Code.

Note: For convenience, this policy uses the term "Complainant" to refer to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. The term "Respondent" refers to the person against whom a complaint is made.

2.0 Application

- 2.1 This policy applies to all members of the Manitoba Lacrosse Association, as well as to all individuals engaged in activities with or employed by Manitoba Lacrosse, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical personnel, administrators and employees (including contract personnel).
- 2.2 This policy applies to harassment which may occur during the course of Manitoba Lacrosse business, activities and events, including but not limited to lacrosse competitions, training sessions, exhibitions, meetings and travel associated with these activities. It also applies to harassment between individuals associated with Manitoba Lacrosse but outside of Manitoba Lacrosse's business and events when such harassment adversely affects relationships within Manitoba Lacrosse's work and sport environment.
- 2.3 Harassment arising within the business, activities and events of member organizations in Manitoba Lacrosse shall be dealt with using the policies and mechanisms of such organizations.

3.0 Definitions

- 3.1 Harassment can generally be defined as comment or conduct, directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive.

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when:

- a) submitting to or rejecting this conduct is used as the basis for making decisions which affect the individual; or
- b) such conduct has the purpose or effect of interfering with an individual's performance; or
- c) such conduct creates an intimidating, hostile or offensive environment.

3.2 Types of behaviour which constitute harassment include, but are not limited to:

- a) written or verbal abuse or threats
- b) the display of visual material which is offensive or which one ought to know is offensive
- c) unwelcome remarks, jokes, comments, innuendo or taunting about a person's looks, body, attire, age, race, religion, sex or sexual orientation
- d) leering or other suggestive or obscene gestures
- e) condescending, paternalistic or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
- f) practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
- g) unwanted physical contact including touching, petting, pinching or kissing
- h) unwelcome sexual flirtations, advances, requests or invitations
- i) any form of hazing
- j) physical or sexual assault.

4.0 Complaint Procedure

4.1 A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to this policy.

4.2 If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the complainant should request a meeting with an official of Manitoba Lacrosse who is not party to the complaint (for the purposes of this policy, an "official" may be a member of the Manitoba Lacrosse Board, the Executive Director or a staff person, or any member of the coaching staff including coach or assistant coach (if applicable)).

4.3 Once contacted by a complainant the role of the official is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its informal resolution. If the official considers that he/she is unable to act in this capacity, the complainant shall be referred to another Manitoba Lacrosse official.

4.4 There are three possible outcomes to this meeting of complainant and official:

1. It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;
 2. The complainant may decide to pursue an informal resolution of the complaint, in which case the official will assist the two parties to negotiate an acceptable resolution of the complaint; or
 3. The complainant may decide to make a formal written complaint to Manitoba Lacrosse in which case the official shall advise the President of Manitoba Lacrosse, who may appoint an independent individual to conduct an investigation of the complaint.
- 4.5 Ideally, the Investigator should be a person experienced in harassment matters and investigation techniques, and may be an outside professional. He/she shall carry out the investigation in a timely matter and at the conclusion of the investigation shall submit a written report to the President.
- 4.6 Within 14 days of receiving the written report of the Investigator, or within 14 days of receipt of the formal complaint if no investigation is ordered under Section 14c, the President shall appoint three individuals to serve as a Panel.
- 4.7 Harassment complaints occurring within competitions may be dealt with immediately, if necessary, by a Manitoba Lacrosse representative in a position of authority, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident. In such situations, sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this policy. This review does not replace the appeal provisions this policy.
- 4.8 This policy shall not prevent a person in authority taking immediate, informal corrective disciplinary action in response to behaviour that, in their view, constitutes a minor incidence of harassment.