



## London Junior Mustangs Football Club

### Non-Discrimination/Harassment Policy

**Approving Authority:** Board of Directors

**Date of approval:** February 2, 2012

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#### I PURPOSE

1. The purpose of this Policy is to confirm the Club's commitment to providing a learning and working environment free of harassment and discrimination.
2. This policy is in accordance with all applicable federal and provincial legislation related to harassment and discrimination such as the *Ontario Human Rights Code*. It also applies to those situations defined as Workplace Harassment under the *Ontario Health and Safety Act*.

#### II DEFINITIONS

##### Discrimination

1. *Discrimination* means a distinction, intentional or not, based on a prohibited ground, which has the effect of imposing burdens, obligations, or disadvantages on an individual or group not imposed on others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society.
2. *Prohibited ground* means
  - Any of the following: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.
  - Such additional grounds as may be designated as prohibited grounds in the Ontario Human Rights Code from time to time.

##### Harassment

3. *Harassment* means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment may be related to one or more of the prohibited grounds defined at section 2, and/or may include conduct and/or behaviours which create an intimidating, demeaning or hostile playing or practicing environment whether or not it is based on the prohibited grounds.
4. *Sexual Harassment* includes comment or conduct of a sexual nature such as, but not limited to, sexual assault, verbal abuse or threats, unwelcome sexual invitations or requests, demands for sexual favours or unwelcome innuendo or taunting about a person's body, physical appearance or sexual orientation and includes situations where:
  - a. submission to such conduct is made either explicitly or implicitly a condition of an individual's playing, coaching status or volunteer contribution; or
  - b. submission to such conduct by an individual is used as a basis for employment, or for athletic performance, status or accreditation decisions affecting such individual; or
  - c. such conduct interferes with an individual's play or athlete's performance; or
  - d. such conduct creates an intimidating, hostile or offensive playing or practice environment.
5. This definition of sexual harassment is not intended to inhibit bona fide academic discussion or interactions or relationships based on mutual free consent or normal social conduct between

individuals.

6. *Personal Harassment* means conduct and/or behaviour which create an intimidating, demeaning or hostile working or academic environment whether or not it is based on the prohibited grounds defined in the *Human Rights Code*. For the purposes of this Policy, *Personal Harassment* includes *Workplace Harassment* as defined under the *Occupational Health and Safety Act* as engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably known to be unwelcome.
7. Harassment does not include:
  - a. interpersonal conflict or disagreement;
  - b. the proper exercise of performance evaluation, appropriate managerial direction, delegation, performance management or attendance management

### **III. POLICY**

1. London Junior Mustangs Football Club is committed to providing a playing and learning environment that allows for full and free participation of all members of the community. Discrimination against and/or harassment of individuals, whether as members of any recognizable group or otherwise, undermine these objectives and violate the fundamental rights, personal dignity and integrity of individuals or groups of individuals.
2. This policy applies to all members of the Club's community in their interaction with other members of the Club's community. The Club's community includes players, coaches, volunteers, parents and other individuals who help with the Club's activities.
3. All members of the Club's community share a responsibility to provide and maintain an environment free of discrimination and harassment.
4. Clause III.1 (above) does not apply to any action or decision based on a *bona fide* requirement or qualification.
5. For the purposes of determining what limitations may reasonably be imposed in good faith to meet the objective employment or academic requirements, every individual is entitled to individual consideration.
6. This Policy shall not infringe upon the implementation of special programs designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity.
7. Harassment and discrimination constitute serious offences that may be cause for disciplinary sanctions by the Club.
8. Individuals may seek assistance from the Human Rights Tribunal of Ontario (HRTO) even when taking steps under this Policy. If the circumstances giving rise to a complaint under this policy independently give rise to proceedings before Human Rights Tribunal of Ontario or to proceedings in the courts or to the laying of a criminal charge, then any action under this policy may be suspended until such proceedings are concluded.
9. Any reprisals, retaliation or threats of reprisals or retaliation for pursuing rights under this policy, for having participated in its procedures, or for acting in any role under this policy and its procedures are prohibited.
10. The Club may take disciplinary action against those who make allegations of harassment or discrimination which are reckless, malicious or not in good faith.
11. The Club shall not be restricted in fulfilling its responsibilities under the *Human Rights Code*, *Occupational Health and Safety Act*, or other applicable legislation, or where the safety of individuals is threatened or compromised.