



NWT Taekwondo Discrimination, Harassment and Abuse Policy

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.

POLICY STATEMENT

1. The NWT WTF Taekwondo Association ("NWT Taekwondo") is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices.
2. Harassment is a form of discrimination and NWT Taekwondo is committed to providing an environment free from harassment on the basis of race, nationality or ethnic origin, religion, age, sex, sexual orientation, marital status, family status, or disability. Harassment is prohibited by human rights legislation throughout Canada.
3. Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offense under Canada's Criminal Code.

APPLICATION

4. This policy applies to all categories of members in NWT Taekwondo, as well as to all individuals engaged in activities with or employed by NWT Taekwondo, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees. It applies to harassment which may occur during the course of all NWT Taekwondo business, activities and events.
5. Harassment arising within the business, activities and events of clubs or affiliated organizations of NWT Taekwondo shall be dealt with using the policies and mechanisms of such organizations

DEFINITIONS

6. 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.
7. 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:
 - submitting to or rejecting this conduct is used as the basis for making decisions which affect the individual; or
 - such conduct has the purpose or effect of interfering with an individual's performance; or
 - such conduct creates an intimidating, hostile or offensive environment.

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

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

CONFIDENTIALITY

9. NWT Taekwondo recognizes that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly accused of harassment. NWT Taekwondo recognizes the interests of both the complainant and the respondent in keeping the matter confidential, except where such disclosure is required by law. This shall not preclude publication of the final outcome of any matter.

COMPLAINT PROCEDURE

10. 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.
11. 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 NWT Taekwondo (for the purposes of this policy, an "official" may be a member of the NWT Taekwondo Executive, or chair of any NWT Taekwondo Committee).
12. 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 NWT Taekwondo official.
13. There are three possible outcomes to this meeting of complainant and official:
 - It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;
 - 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
 - The complainant may decide to lay a formal written complaint to NWT Taekwondo's President, who shall appoint an independent individual to conduct an investigation of the complaint.
14. 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 manner and at the conclusion of the investigation shall submit a written report to the President.
15. The President may determine that the alleged conduct is of such seriousness as to warrant suspension of the member from NWT Taekwondo pending the hearing and decision of the Discipline Panel.
16. Within 5 days of receiving the written report of the Investigator, the President shall appoint three individuals to serve as a Panel.

HEARING

17. A Hearing shall take place in accordance with the process set out in NWT Taekwondo's Discipline Policy, and in addition:
 - The complainant and respondent shall each receive a copy of the Investigator's report.
 - The complainant shall be present at the hearing to respond to the Investigator's report, give evidence and to answer questions of the Panel.
 - The Investigator may attend the hearing at the request of the Panel.
18. If at any point in the proceedings, the complainant becomes reluctant to continue, it shall be at the sole discretion of the Executive to continue the review of the complaint in accordance with this policy. In such instances, NWT Taekwondo shall take the place of the Complainant.
19. As soon as possible but in any event within 5 days of the hearing, the Panel shall present its Decision to the President, with a copy provided to both the complainant and respondent. This Decision shall contain:
 - a summary of the relevant facts;
 - a determination as to whether the acts complained of constitute harassment as defined in this policy;
 - recommended disciplinary action against the respondent, if the acts constitute harassment; and
 - recommended measures to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute harassment.
20. If the Panel determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, their report may recommend disciplinary action against the complainant.

SANCTION

21. When recommending appropriate disciplinary sanction, the Panel shall consider factors such as:
 - the nature and severity of the harassment
 - whether the harassment involved any physical contact
 - whether the harassment was an isolated incident or part of an ongoing pattern
 - the nature of the relationship between the complainant and harasser
 - the age of the complainant
 - whether the harasser had been involved in previous harassment incidents
 - whether the harasser admitted responsibility and expressed a willingness to change
 - whether the harasser retaliated against the complainant
22. In recommending disciplinary sanctions, the Panel may consider the following options, singly or in combination, depending on the nature and severity of the harassment:
 - verbal apology
 - written apology
 - letter of reprimand from the organization
 - a fine or levy
 - referral to counseling
 - removal of certain privileges of membership or employment
 - temporary suspension with or without pay
 - termination of employment or contract
 - expulsion from membership
 - publication of the decision
23. Failure to comply with a sanction as determined by the Panel shall result in automatic suspension in membership from NWT Taekwondo until such time as the sanction is fulfilled.

24. Both the complainant and respondent shall have the right to appeal the decision and sanctions of the Panel, in accordance with NWT Taekwondo's Appeal Policy.

Updated Sept. 11, 2018