



ONTARIO JIU JITSU ASSOCIATION

Harassment Policy. – 2017

Harassment Policy

The OJA is committed to providing an environment in which all individuals are treated with respect, equality, and dignity. All OJA members have the right to participate in an environment, which promotes access, equal opportunity and prohibits discriminatory behaviour and practices.

Harassment is a form of discrimination. Harassment takes many forms but can generally be defined a comment, conduct, or gesture directed toward an individual or group of individuals, which anyone finds insulting, intimidating, humiliating, malicious, degrading or offensive.

Harassment is, prohibited by the **Canadian Charter of Rights and Freedoms** and by **Human Rights Legislation** in every province and territory of Canada. Harassment is offensive, degrading, and threatening. In its most extreme forms, harassment can be an offence under **Canada's Criminal Code**.

Whether the perpetrator is a Director, Supervisor, Employee, Coach, Official Volunteer, Parent, or Athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another. The perception of the victim is paramount.

The following types of behaviour constitute harassment;

- Written or verbal abuse or threats;
- The display of visual material which is commonly considered 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 undermines self-esteem, diminishes performance, or adversely affects working conditions;
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
- Unwanted physical conduct including touching, petting, pinching, or kissing; Unwelcome sexual flirtations, advances, requests, or invitations; or Physical or sexual assault.

1. The OJA is committed to providing an environment that is free of harassment.
2. This policy applies to all members of the OJA including all Directors, Officers, Volunteers, Coaches, Athletes, Officials and members of all provincial/territorial affiliates.
3. Every member has a responsibility in ensuring that the Jiu Jitsu environment is free from harassment. This means not engaging in, allowing, condoning, or ignoring behaviour contrary to this policy.
4. Every member who believes that another member has experienced or is experiencing harassment is encouraged to notify any member of the Board under this policy.
5. In the event that a board member or employee is involved in a complaint, which is under this policy, the OJA President shall appoint a suitable person for the purposes of dealing with the complaint.

6. If a harassment incident is reported to the Board, they are required to establish a committee to address the incident as so described in the Discipline/Appeals policy.
 - a. If the parties involved are of opposite genders and the complainant is a female, have one of the committee members are required to be females.
7. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial or territorial human rights commission, even when steps are being taken under this policy.

C. Sexual Harassment

Sexual harassment most commonly occurs in the form of behaviour by males towards females; however, sexual harassment can occur between males, between females, or as behaviour by females towards males. 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.

1. The OJA prohibits all forms of sexual harassment and all reported cases will be addressed by the Discipline/Appeals process, as would any form of harassment.
2. The OJA will impose appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender.
3. The OJA will make all members, employees, and volunteers of the organization aware of the problem of harassment, and in particular sexual harassment, and of the procedures contained in this policy.
4. The OJA will inform both complainants and respondents of the procedures contained in this policy and their rights under the law.
5. Coaches are strongly discouraged to engage in intimate relations with senior athletes under their care or responsibility.
6. At no time is any coach, official or director to engage in an **intimate or sexual relationship** with an athlete under the age of 18 years.
7. The OJA understands that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly convicted of harassment. OJA recognizes that interests of both the complainant and the respondent in keeping the matter confidential.

D. Reporting Harassment

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.
2. If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the complainant should contact any member of the Board of Directors whom he/she feels most comfortable with.
3. The Board Member shall inform the complainant of:
 - The options for pursuing an informal resolution of his or her complaint through the Disciplinary/Appeals process; The confidentiality provisions of this policy;
 - The right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
 - The right to withdraw from any further action in connection with the complaint at any stage (even though OJA might continue to investigate the complaint); and
 - Other avenues of resource, including the right to file a complaint with a human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the **Criminal Code**.

4. Where the investigation by the discipline committee does not result in a finding of harassment, a copy of the report of the case shall be placed in the Board files. These files shall be kept confidential and access to them shall be restricted to the OJA Board of Directors.
5. Where the investigation results in a finding of harassment, a copy of the report of the case review panel shall be placed in the personnel, membership, or volunteer file of the respondent. Unless the findings are overturned by the appeals committee, this report shall be retained for a period of 7 years, unless new circumstances dictate that the report should be kept for a longer period of time.
6. In recommending disciplinary sanctions, the options to be used are listed in the Disciplines Committee's policies. The panel may consider the following options in addition, singly or in combination, depending on the severity of the harassment:
 - A verbal apology;
 - A written apology;
 - A letter of reprimand from the OJA;
 - Referral to counselling;
 - Termination of employment or contract (if an employee);
 - Suspension of membership and involvement (eg. Coaching responsibilities)
 - Termination of membership.

