



NOVA SCOTIA 55+ GAMES SOCIETY

HARASSMENT, DISCRIMINATION AND SAFETY POLICY¹

“The principle of respect for participants, challenges all of us, who are in positions of power, authority or trust, to act in a manner respectful of the dignity of those participants to whom we are entrusted.

Note: For convenience, this policy uses the term ‘complainant’ to refer to a person who experiences, or alleges to have experienced, 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. NS 55+GS is used instead of Nova Scotia 55+ Games Society for brevity.

1. Policy Statement

NS55+GS is committed to providing an event and environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and enjoy an environment which promotes equal opportunities and prohibits discriminatory practices.

Harassment is a form of discrimination and is prohibited by the Canadian Charter of Rights and Freedoms and by Human Rights legislation in every province and territory of Canada.

Harassment/discrimination is offensive, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada’s Criminal Code.

- 1.1 NS55+GS has adopted this Policy to make it clear that harassment will not be tolerated. Members found to have engaged in conduct constituting harassment/discrimination, may be disciplined, and/or suspended to the full extent of this policy and the law.
- 1.2 NS55+GS is committed to the education of all its members and to providing information to all members regarding this policy.
- 1.3 This policy applies to all members, directors, officers, officials, volunteers, coaches and host committees and staff. Everyone shall avoid and shall discourage others’ expressions or displays of prejudice, bigotry, sexual comments, or racial slurs. Even the appearance of bigotry or prejudice can damage mutual respect between teams, athletes, participants/non-participants, officials, etc.
- 1.4 For the purposes of this policy, sport and/or event harassment can occur in the following places: a) at sporting events, competitions, and in training sessions; b) at the business

¹ Adapted in part from: Harassment in Sport (1994): A Guide to Policies, Procedures, and Resources, Athletics Ontario Harassment Policy, and Alpine Ski Nova Scotia (2009): Discrimination and Harassment Policy.

functions of NS 55+, such as meetings, conferences, training sessions and workshops; c) at event related social functions; d) during event related travel; e) through any form of communication device/system including but not limited to telephone, email, fax, websites, postal service; any formal or informal location where harassment of a person is a result of their sport/event related involvement.

- 1.5 Notwithstanding this policy, every person who experiences harassment has the right to seek assistance from the appropriate levels of government related to provincial and federal law. Each individual has the right to pursue athletic/event participation in an atmosphere which promotes equal opportunities and prohibits discriminatory practices.

2. The Objectives of this Policy are:

- 2.1 To prevent discrimination and harassment within NS55+GS on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, sex, sexual orientation, age, marital status, family status, ability or religious affiliations;
- 2.2 To alert all members of NS55+GS to the fact that harassment is an offence under the law;
- 2.3 To establish the types of behaviour that shall be considered offensive;
- 2.4 To establish a mechanism for receiving complaints of harassment and provide a procedure by which NS55+GS shall deal with these complaints;
- 2.5 To establish NS55+GS as an organization in which all members, employees and volunteers may reasonably expect to participate free from harassment;
- 2.6 To provide an environment where members, employees and volunteers contribute to the goals of the NS55+GS in the knowledge that their personal aspirations and dignity will be respected;
- 2.7 To create an awareness of the nature and types of harassment;

3. Definitions

- 3.1 Appeal: The process outlined within this policy which allows the Respondent to have the complaint reviewed.
- 3.2 Complainant: An employee, athlete, coach, official or other member of NS55+GS or participant/non-participant involved in the activities of NS55+GS who believes they have been harassed.

- 3.3 Disciplinary Committee: A committee of persons as defined in the NS55+GS Bylaws and Constitution. The Disciplinary Committee decides whether harassment occurred and confirms or rejects the recommendation(s) of the Harassment Officer/Investigator (HO).
- 3.4 Harassment: Improper behaviour by any person towards another which a person knows or ought to know would be unwelcome. This behaviour includes comments, conduct or gestures which are insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals or which creates an uncomfortable environment, or which might reasonably be expected to cause embarrassment, insecurity, discomfort, offense, or humiliation to another person or group, including, but not limited to:
- Written or verbal abuse or threats;
 - Physical assault;
 - Unwelcome remarks, jokes, innuendos, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, religion, etc;
 - Displaying of sexually explicit, racist, or other offensive or derogatory material, or sexual, racial, ethnic or religious graffiti;
 - Practical jokes which directly or indirectly cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance;
 - Hazing or initiation rights;
 - Leering or other suggestive or obscene gestures;
 - Intimidation, through the suggestion or offer of a reward or privilege or through threats of retaliation related to speaking out about harassment;
 - Condescension, paternalism, or patronizing behaviour which undermines self-respect or adversely affects performance or working conditions;
 - Conduct, comments, gestures or contact of a sexual nature that is likely to cause a condition of a sexual nature on employment or any opportunity for selection, training or advancement;
 - False accusations of harassment motivated by malice or mischief, and meant to cause other harm, is considered harassment;
 - Sexual harassment, as further defined below.
- 3.5 Harassment Officer/Investigator: An individual appointed by the NS55+GS President to carry out an investigation of a complaint in a timely manner and at the conclusion of the investigation provide a written report.

- 3.6 Investigation Report: The written record of an investigation, completed by the Harassment Officer(s)/HO(s), including but not limited to, a summary of details, determination of harassment, and recommended disciplinary action if harassment is found.
- 3.7 Racism: Examples of Racism include but are not limited to:
- interpersonal behaviour such as name calling, derogatory remarks, gestures, and physical attack.
 - racial bias in NS 55+.
 - stereotyping language which universalizes experience and ignores the differences between people and cultures.
 - discriminatory language: language which denotes a stereotyped view of a subject or which has offensive overtones.
- 3.8 Respondent: The perpetrator of action(s) which the complainant thinks constitutes harassment.
- 3.9 Sexual Harassment: One or a series of incidents involving unwelcome sexual advances, requests for sexual favours, or other verbal conduct of a sexual nature:
- when such conduct might reasonably be expected to cause embarrassment, insecurity, discomfort, offense, or humiliation to another person or group;
 - when such conduct has the purpose or the effect of interfering with a person's sport performance/experience or creating an intimidating, hostile or offensive sport- event environment.
- 3.10 Sexual Abuse: Sexual abuse is when a person is used by another for his or her own sexual stimulation or gratification.
- 3.11 For the purposes of this policy, retaliation against an individual for having filed a complaint under this policy, or for having participated in any procedure under this policy, or for having been associated with a person who filed a complaint or participated in any procedure under this policy, will be treated as harassment, and will not be tolerated.

4. Responsibilities

Members, participants/non-participants of NS55+GS are jointly responsible to free their sport/event environment of harassment by:

- taking assertive action should they feel that they are being subjected to harassment.
- fostering an environment free of harassment by attempting to stop incidents of harassment whether there is a complaint or not. Failure to take appropriate corrective action may be interpreted as condoning the prohibited behaviour.

4.1 The NS55+GS Board of Directors is responsible for the implementation of this policy.

4.2 NS55+GS will act quickly on any complaint of harassment with the goal of resolving the situation fairly and preventing future occurrences, including determining and enforcing appropriate discipline, if required.

4.3 NS55+GS recognizes that its members may be subjected to harassment by individuals who conduct business with the association. In these circumstances, NS55+GS acknowledges its responsibility to do all it can within its authority to support and assist any person subject to such harassment. Notwithstanding the existence of this policy, every person continues to have the right to seek assistance from the Nova Scotia Human Rights Commission or other avenues.

4.4 Harassment Officers/Investigator (HO)

NS55+GS shall appoint at least one person who may be – but is not required to be – members of the organization, to serve as an HO under this policy. If more than one officer is appointed, NS55+GS shall try to ensure a gender balance.

The role of the HO(s) is to serve in a neutral, unbiased capacity to receive complaints, assist in an informal resolution of complaints and investigate formal written complaints. In carrying out their duties under this policy, HO(s) shall be responsible directly to the NS55+GS President.

NS55+GS shall ensure that HO(s) receive appropriate support as required to carry out their responsibilities under this policy.

5. Confidentiality

NS55+GS 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. NS55+GS

recognizes the interests of both the complainant and the respondent in keeping the matter confidential.

NS55+GS and its representatives shall not disclose to outside parties the name of the complainant, the circumstances giving rise to a complaint, or the name of the respondent unless such disclosure is required by a disciplinary or other remedial process.

All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by NS55+GS except where disclosure is required by a disciplinary or other remedial process or where required to disclose by statute.

- 5.1 In all reported instances, a prompt, thorough, fair investigation will take place with careful consideration to protecting the rights and dignity of all people involved.
- 5.2 The regular procedures associated with privacy and confidentiality will be observed at all times, including the sealing of all documents upon the conclusion of the investigation.

6. Complaint Procedure

- 6.1 The Complainant is encouraged to make it known to the Respondent that the behaviour is unwelcome, offensive, and/or contrary to this policy.
- 6.2 If confronting the Respondent is not possible, or if after confronting the Respondent the conduct continues, the Complainant should seek the advice of a NS55+GS HO. A preliminary written report should be prepared each time the HO is initially consulted. A HO may conduct an initial consultation and offer advice to a Complainant in a one-on-one context prior to the receipt of a written complaint.
- 6.3 Upon receiving the complaint, the HO shall obtain from the Complainant a statement in writing outlining the details of the incident(s) and the names of any witnesses. The statement should be dated and signed by the Complainant.
- 6.4 A meeting should be held between the HO and the Complainant. To inform the Complainant of:
 - the options of pursuing an informal resolution of the complaint;

- the right to make a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
- the availability of counseling and other resources;
- 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;
- other rights of recourse, including the right to file a complaint with the Nova Scotia Human Rights Commission or, where appropriate, to contact the police where the conduct may be an offense pursuant to the Criminal Code.

6.5 Following the initial meeting between the Complainant and the HO(s), any of the following steps may be taken;

- If the Complainant and the HO agree that the conduct does not constitute harassment, the HO will take no further action, but a written record of the mutual resolution will be recorded and kept on file.

- If the Complainant wishes to proceed with a complainant investigation, the HO will proceed with the investigation.

- If the HO believes that the alleged behaviour constitutes harassment, but the Complainant does not wish to proceed with a complaint investigation, the following steps may be taken:

- A. If the Complainant wishes to pursue an informal resolution of the complaint, the HO will meet with the Respondent with a view to obtaining an apology and an assurance that the offensive conduct will not be repeated.

- B. If the Complainant does not wish to pursue an informal resolution of the complaint, the Harassment Officers may, nevertheless, take either of the following steps:

- i. The HO may meet with the Respondent with a view to obtaining an assurance that the offensive conduct will not be repeated. In the case of a meeting pursuant to

this clause, the Harassment Officer will make every reasonable effort to protect the identity of the Complainant.

- ii. If the HO is satisfied that the complaint has been resolved through this informal process, the HO(s) will take no further action on the complaint.
- iii. If the HO is not satisfied that the complaint has been resolved through the informal process, then the HO(s) may refer the matter to the Board of Directors.

- 6.6 Investigation by the HO: the HO will: a) review and clarify the Complainant's written complaint; b) give a written copy of the investigation\report to the Respondent and the Complainant.
- 6.7 Where the Harassment Officer gives a copy of the written complaint to the Respondent, the Harassment Officer will include with the written complaint a copy of this policy and a notice that the Respondent has the right to be represented by any person of choice at any stage of the process when the Respondent is required or entitled to be present.
- 6.8 The Respondent will be requested to provide a written response to the HO within ten (10) days of receiving the written complaint. If there are special circumstances, the HO may extend the time for response.
- 6.9 The HO(s) will receive and clarify, if necessary, the response from the Respondent.
- 6.10 Within sixty (60) days of receiving the initial written complaint, the HO shall conduct an investigation and prepare a written Investigation Report.
- 6.11 All investigations stemming from this complaint shall follow the principles of natural justice, which states that:
- everyone has the right to a fair hearing during the course of determining whether an infraction has been committed;
 - the issues should be clearly and concisely stated so that the accused is aware of the essentials of the complaint;
 - the accused has a right to have a representative present his or her case;
 - relevant information must be available to all parties;

- the accused has the right to call and cross-examine witnesses;
- the accused has the right to a written decision following the judgement;
- the accused has the right to appeal a decision (if there are grounds);
- the HO(s) have a duty to listen fairly to both sides and to reach a decision unaffected by bias.

6.12 The Investigation Report from the HO(s) should contain:

- a) a summary of the relevant facts;
- b) a determination as to whether the acts in question constitute harassment as defined in this policy;
- c) if the act(s) constitute harassment, a recommended disciplinary action against the Respondent.

6.13 When recommending disciplinary action to be taken, the HO(s) shall consider factors such as:

- the nature of the harassment;
- whether the harassment involved any physical contact;
- if the harassment was an isolated incident or part of an ongoing pattern;
- the nature of the relationship between the Complainant and the Respondent;
- whether the Respondent had been involved in previous harassment incidents;
- whether the Respondent retaliated against the Complainant;

6.14 In completion of the report, the HO(s) shall forward a copy of the Investigation Report to the Complainant, the Respondent, and the NS55+GS Disciplinary Committee.

6.15 The Disciplinary Committee shall receive the Investigation Report as prepared by the HO(s)s.

6.16 If the Investigation Report determines that the Respondent has engaged in conduct constituting harassment, the Disciplinary Committee shall order such disciplinary action to

be taken against the Respondent as it determines to be appropriate under the circumstances. Said disciplinary action may include, but is not limited to:

- a verbal apology witnessed by a member of the Disciplinary Committee;
- a written apology;
- a letter of reprimand from the NS 55+;
- referral to counseling;
- expulsion from membership;
- a combination of actions outlined.

6.17 The Disciplinary Committee shall, not more than ten (10) days after it makes its decision, send a notice of the decision to the Complainant and the Respondent.

7. Appeals

7.1 A Complainant or Respondent who is dissatisfied with the decision of the NS55+GS Disciplinary Committee may:

- Send a letter (registered preferred) which must be sent and received by NS55+GS President within 14 days to notify the President of this fact. Having received this letter within the proper time frame, the President will consider an appeal hearing after consulting with the Chairperson of the Disciplinary Committee only. The Appeal Committee will consist of no more than 3 neutral people, none of whom should have been on the original Disciplinary Committee. This meeting should take place within 30 days of receipt of the "Appeal Letter'.

7.2 Once this Appeal Committee has met and deliberated, its findings will be conveyed to the President of NS55+GS who will confer with the NS55+GS Executive and convey the decision of the Appeal Committee in writing to both parties (“



Nova Scotia 55+ Games / Jeux Nouvelle-Écosse 55+
Participant and Non-Participant Registration Form /
Formulaire d'inscription pour Participant et non-Participant

Host logo here

Host _____
 Dates _____
 Location _____
 Registration Deadline (mm/dd/yyyy) _____

Host Contact Information _____
 Address _____
 Phone _____ Mobile _____ E-mail _____

SECTION 1 - Personal Information

Last name _____ First name _____
 Address _____
 City/town _____ Postal Code _____
 Region^{1 see Section 8} Cape Breton Central Fundy Highland South Shore Valley
 Phone _____ Mobile _____ E-mail _____
 Gender Female Male Birth Date (mm/dd/yy) _____
 Age as of December 31st (year of games) _____ Number of years NS55+ Games Participant^{2 see Section 8} _____
 List dietary/mobility requirements _____

I read, understood, completed, signed, and dated compulsory **waivers in Section 5** Yes No
 I completed, signed, and dated the Participant/Non-Participant **Health Form in Section 6** Yes No
 I acknowledge the completed Health Form (Section 6) is **NOT** submitted with this registration Yes No
 I understand the completed Health Form (Section 6) **MUST** be kept with me during the games. Yes No
 I will attend the Opening Ceremonies and Reception on the Thursday evening of the Games Yes No

SECTION 2 – Fees (Non-refundable 14 days or less before the Games open unless stated otherwise)^{3 see Section 8}

Item	Fee	Amount submitted
NS 55+ Games Society Membership (Non-refundable)	\$20	_____
Participant registration	_____	_____
Non-participant registration	_____	_____
Social event (Thursday)	_____	_____
Local Community Cultural Event (Friday)	_____	_____
Closing and Awards Banquet (Saturday)	_____	_____
Additional Fees (Team Captain/Coach/Skip submit Registrations, Roster & Fees)		
Curling Team Registration	_____	_____
Golf Fee (per participant)	_____	_____
Hockey Team Registration	_____	_____
Slo-Pitch Team Registration	_____	_____
Stick Curling Team Registration	_____	_____
Other (Specify)	_____	_____

TOTAL SUBMITTED

Method of payment Mastercard Visa e-transfer to _____
 Card number _____ Expiry (mm/yy) ____/____ *CVV/CVC _____ * located on back of card
 e-transfer from email _____ Security question/answer: Our games are? 55plus

FOR OFFICE USE ONLY: Date received (mm/dd/yy) _____ Amount _____ Method of payment: MC Visa e-transfer
 Received by: _____

Complainant and Respondent”).

- 7.3 The decision from the NS55+GS Appeal Committee is binding unless either party wishes to appeal to the Nova Scotia Human Rights Commission, whereby NS55+GS will no longer be a participant in this process.

8. Associated Costs

NS55+GS will cover any costs for meetings, reporting, and information gathering that pertain to complaints, and dealing with complaints, by all members of committees outlined in this policy.

Exceptions – Complainant and Respondent.

9. Review and Approval

9.1 This policy was approved by Nova Scotia 55+ Games Society Board of Directors November ____, 2016 and adopted by the membership at the Annual General meeting November ____, 2016.

9.2 This policy should be reviewed by NS55+GS Discipline Committee and the NS55+GS Board of Directors from time to time to ensure it remains current.