



RECOGNITION AND PREVENTION OF DISCRIMINATION, HARASSMENT & VIOLENCE POLICY

The Royal Canadian Golf Association, operating as Golf Canada (“Golf Canada”), is committed to providing a sport and work environment that promotes equal opportunities and prohibits discriminatory practices. Golf Canada supports the right of all its participants, employees, volunteers, directors, governors and officers (together, “Golf Canada Participants”) to participate in all Golf Canada activities free from any form of discrimination, harassment or violence. Further, Golf Canada emphasizes the importance of eliminating discrimination, harassment and violence in golf as a key element in ensuring the safety of young participants. A sports environment that actively discourages harassment and violence and builds relationships based on trust and mutual respect, is an environment that discourages the abuse of children and youth and encourages the overall development of the individual. In order to further these aims, Golf Canada shall respond swiftly and effectively to complaints or disclosures of discrimination, harassment or violence.

Some behaviours that might be described as harassment or violence when directed towards an adult, may constitute abuse when directed towards a child or youth by any person with power or authority over the person harassed. Golf Canada’s **Recognition and Prevention of Abuse Policy** covers such behaviours. Together, both policies address the entire spectrum of abusive and discriminatory, harassing or violent behaviours.

Each Provincial Golf Association is strongly encouraged to adopt a similar policy and to adapt it to provincial, regional or local requirements as appropriate.

1. Purpose and Scope

It is the policy of Golf Canada that discrimination, harassment or violence in all its forms will not be tolerated in the Golf Canada workplace (as defined below), including during the course of any Golf Canada activity or program. Accordingly, all Golf Canada personnel (temporary or permanent staff, volunteers, officials, partners, governors, parents, and guardians) are responsible for making every reasonable effort to uphold this commitment. Specifically, this includes refraining from discriminatory or harassing behaviour, refraining from violent behaviour and following local or national policy guidelines for reporting or responding to complaints of discrimination, harassment or violence. Players and other participants are expected to refrain from discriminatory, harassing or violent behaviour and are encouraged to report incidents of harassment or violence.

2. Definitions and Clarifications

Discrimination:

Discrimination is any distinction, whether intentional or not, based on prohibited grounds under human rights legislation, which has the effect of imposing burdens, obligations or disadvantages on an individual that are not imposed on others, or which withholds or limits access to opportunities, benefits and advantages available to others.

A non-exhausted list of prohibited grounds of discrimination under this Policy include: colour, disability, race, sexual orientation, sex or any other legally recognized status entitled to protection under applicable human rights legislation.

Harassment:

Harassment is a form of discrimination that is prohibited by human rights legislation in Canada. Harassment is defined as engaging in a course of conduct, gestures or comments that are known or ought reasonably to be known to be unwelcome, insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and that create a hostile or intimidating environment for work or sports activities, or that negatively affect performance or work conditions. Many of the different forms of harassment may be, but are not necessarily, based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (eg: player to player of the same age group, parent to official, coach to coach) or between someone in a position of power or authority and an adult in a subordinate position (eg: coach to player, sports administrator to employee). Harassment includes sexual harassment, which is defined below.

Sexual harassment is defined as engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an individual or group of individuals and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

The following is a non-exhaustive list of examples of harassment and sexual harassment:

- a) Unwelcome comments, jokes, innuendo or teasing about a person's body, looks, race, ancestry, sexual orientation, political opinions, etc.;
- b) Condescending, patronizing, threatening or punishing actions that undermine self-esteem.
- c) Practical jokes that cause awkwardness or embarrassment, or may endanger a person's safety;
- d) Any form of bullying or intimidation, including threats, spreading rumors, attacking someone physically or verbally, and deliberately excluding someone from a group;
- e) Any form of hazing;
- f) Unwanted or unnecessary physical contact including touching, patting, pinching;
- g) Unwanted conduct, comments, gestures or invitations of a sexual nature that are likely to cause offence or humiliation, or that might on reasonable grounds be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or advancement; and,
- h) Sexual assault or physical assault.

It is important to note that the behaviours described in items 5 to 8, when directed towards a child or youth, constitute abuse under child protection legislation. This may also be true of other behaviours, for example, certain hazing practices. In such cases, the duty to report provisions of the **Recognition and Prevention of Abuse Policy** come into effect. The following table provides an overview of the differences and similarities between harassment and abuse.

Harassment and Abuse - Differences and Similarities

	Abuse	Harassment
Types	Emotional, physical, sexual, lack of care.	Emotional, physical, sexual; may be motivated by racial or other forms of
Victim	Any person under age of majority as determined by Provincial and Territorial Child Protection Acts; may be male or female.	Person of any age; may be male or female.
Offender	Any person who has power or authority over victim and/or breaches trust; may be male or female.	May be peer or person with power or authority over adult victim; may be an employee or non- employee; may be male or
Investigation	External to organization; referred to child welfare or police.	May be internal or completed by a 3 rd party investigator, unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow-up actions	Determined by Provincial and Territorial Child Protection Acts and Criminal Code; civil suits may also occur.	Determined by organization's harassment policies, Criminal Code, labour tribunals, civil action and/or Provincial Human Rights Tribunals; may be used concurrently or alone.
Philosophy	The victim is not to blame; offenders are responsible for their behaviour.	The victim is not to blame; offenders are responsible for their behaviour.

What is not considered harassment

- a) Reasonable action or conduct by a Golf Canada person in authority that is part of his/her normal function, even if there are possible unpleasant consequences for a Golf Canada participant or employee (e.g., disciplinary action, performance management, changes to schedules or duties, implementation of policies, etc.).
- b) Differences of opinion or disagreements between co-participants.
- c) Discipline in training is an indispensable part of a high performance sport and should not be confused with discrimination or harassment. However, it is of vital importance that those in authority:
 - set and communicate non-discriminatory performance standards, selection criteria, rules and regulations to all participants;
 - ensure that training involving touching or other physical contact occur in an appropriate setting, and only after informed consent has been sought and received;
 - be consistent in taking any corrective or punitive action without discrimination based on prohibited grounds or harassment; and,
 - use non-discriminatory terminology; address individuals by name and avoid the use of derogatory slang or offensive terms.

Violence

Violence consists of:

- a) The exercise of physical force by a person against another person, which causes or could cause physical injury to that person;
- b) An attempt to exercise physical force against a person, which causes or could cause physical injury to that person; and
- c) A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against them that could cause physical injury to a person.

Workplace

Workplace is defined as anywhere that activities are conducted during the course of all Golf Canada business, activities and events.

Condonation

If a person in authority knows, or should reasonably have known, that discrimination, harassment or violence may have occurred and fails to take appropriate action, the person in authority has condoned the discrimination or harassment and may be subject to sanctions under this Policy. If any person witnesses or experiences harassment or violence, they are encouraged and responsible to come forward.

Complainant and Respondent

This Policy uses the term "Complainant" to refer to the person who experiences harassment or violence, even though not all persons who experience harassment or violence will make a formal complaint. The term "Respondent" refers to the individual that has allegedly done the act of harassment or violence, or against whom a complaint is made.

3. Responsibility and Procedure

Response and Remedies

It is the position of Golf Canada that discrimination and harassment cannot and will not be tolerated. Discrimination and harassment are unacceptable and harmful. Golf Canada recognizes the serious negative impact of all types of discrimination and harassment on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.

At the same time, Golf Canada recognizes that not all incidents of discrimination and harassment are equally serious in their consequences. Discrimination and harassment cover a wide spectrum of behaviours, and the response to discrimination and harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of discrimination and harassment must be fair to all parties, allowing adequate opportunity for the presentation of a defence to the charges.

It is also the position of Golf Canada that violence cannot and will not be tolerated. Violence is unacceptable and harmful. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of violence must be fair to all parties, allowing adequate opportunity for the presentation of a defence to the charges.

Golf Canada recognizes the serious negative impact of all types of violence including domestic violence. Golf Canada understands that domestic violence could enter the workplace. Golf Canada will take every reasonable precaution to protect staff and participants from any domestic violence that is likely to expose them to physical injury at the workplace. Complaints should be handled in a timely, sensitive, responsible and confidential manner.

There should be no tolerance of reprisals taken against any party to a complaint of any kind. The names of parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purposes of investigation or taking disciplinary measures.

Anyone making a complaint that is found to be clearly unfounded, false, malicious or frivolous will be subject to discipline.

Procedures for the handling of complaints brought against Golf Canada Participants can be found at **Appendix 1** of this Policy.

Notwithstanding this Policy, any individual 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.

Golf Canada Ethics Commissioner

The Board of Directors of Golf Canada (the "Golf Canada Board"), by recommendation of the CEO/Executive Director, shall appoint an individual designated as the Golf Canada Ethics Commissioner for the purpose of this Policy. The role of the Golf Canada Ethics Commissioner shall be:

- to receive information about complaints brought forward relating to discrimination, harassment and violence;
- to facilitate the process for bringing forward complaints;
- to provide support for individuals who have questions or concerns about the application of this Policy;
- in appropriate cases, to initiate alternative forms of dispute resolution, such as facilitation, mediation or other types of information resolution;
- to appoint an investigator to investigate any formal complaints; and
- to report on an annual basis to the Golf Canada Board.

If the person appointed as the Golf Canada Ethics Commissioner has been involved in the matter giving rise to an allegation of harassment, or if a Complainant otherwise does not wish to direct a complaint to the Golf Canada Ethics Commissioner, the Golf Canada President or their designate shall have the authority to appoint a person to act as ombudsperson to handle such complaint, as further set out in Appendix 1 of this Policy.

Duty to Report

Golf Canada Participants are expected to promptly report any behaviour of which they become aware that may constitute discrimination, harassment or violence. This includes situations where discrimination, harassment or violence is suspected or rumoured, appreciating that individuals who experience discrimination, harassment or violence are often reluctant to report it.

All Golf Canada staff are responsible for the safety of their co-workers. Any staff member that becomes aware of domestic violence against another staff member that could possibly expose that staff member to physical injury shall take every precaution reasonable in the circumstances for the protection of the staff member. All domestic violence must be reported and handled with sensitivity.

For detailed Procedure see Appendix 1

FAILURE TO COMPLY: See Appendix 1

APPENDIX I

Recognition & Prevention Of Discrimination, Harassment and Violence Complaint Procedures

Note: *For convenience, this policy uses the term "Complainant" to refer to the person who experiences discrimination, harassment or violence, even though not all persons who experience harassment or violence will make a formal complaint. The term "Respondent" refers the individual that has allegedly done the act of discrimination, harassment or violence, or against whom a complaint is made.*

Application

These Procedures apply to all Golf Canada participants, competitors, employees, volunteers, directors, governors and officers (together, "Golf Canada Participants"). They apply to discrimination, harassment or violence that may occur during the course of all Golf Canada business, activities and events.

These Procedures do not apply to discrimination, harassment or violence that may occur within Provincial Golf Associations of Golf Canada. Provincial Golf Associations are responsible for adopting and implementing procedures similar to, and consistent with these procedures for handling discrimination, harassment or violence within their respective jurisdictions.

Reporting Discrimination, Harassment or Violence

A person who experiences discrimination, harassment or violence is encouraged to make it known to the person responsible for the conduct that the behaviour is unwelcome, offensive and contrary to the policies of Golf Canada. This can be done with the assistance of a member of the Human Resources Department at Golf Canada or the Golf Canada Ethics Commissioner who can help prepare the Complainant for a meaningful conversation.

If confronting the person responsible for the conduct is not possible or is impractical under the circumstances, or if after confronting the individual the harassment or violence continues, the person experiencing the discrimination, harassment or violence (the Complainant) should request a meeting with a Representative of Golf Canada. For the purposes of this Policy, a "Representative" is any individual occupying a position of authority within Golf Canada, including the CEO/Executive Director, the Golf Canada President, a Golf Canada Ethics Commissioner, a member of the Human Resources Department at Golf Canada, all supervisors and managers, and all members of the Golf Canada Board.

Once contacted by a Complainant, the role of the Representative is to serve in a neutral, unbiased capacity in receiving the complaint and assessing the appropriate course of action. If the Representative considers that he or she is unable to act in this capacity, the Complainant will be referred to a member of the Human Resources Department at Golf Canada, the Ethics Commissioner.

If after the meeting with a Representative, the Complainant wishes to file a formal complaint, the matter shall be referred to the Golf Canada Ethics Commissioner for further consideration.

Where a person witnesses or believes that a Golf Canada Participant has experienced or is experiencing discrimination, harassment or violence, that person is obligated to report the belief to a Golf Canada Representative immediately. The Representative must then meet with the person said to have experienced harassment or violence and proceed in accordance with these procedures. If possible, the Representative should engage a member of the Human Resources Department at Golf Canada or the Ethics Commissioner to attend the meeting.

Where a Representative believes there is sufficient evidence to warrant laying a formal complaint but the Complainant does not wish to do so, the Representative must refer the matter to the Golf Canada Ethics Commissioner for further consideration which may include laying a formal complaint.

Notwithstanding the foregoing, a Complainant (or Representative pursuant to section 7 above or the Chair of

the Audit and Risk Committee pursuant to the Whistleblower Policy) may request that a complaint be directed to the Golf Canada President or their designate for consideration. The Golf Canada President or their designate will have the authority to appoint a person to act as ombudsperson to handle such complaint and for the purposes of this Policy, any reference to the "Ethics Commissioner" shall be deemed to mean such ombudsperson for the purposes of such investigation.

Complaint Procedure

There are four possible outcomes to a meeting of a Complainant and a member of the Human Resources Department at Golf Canada or the Ethics Commissioner:

1. It may be determined that the conduct does not constitute harassment or violence as defined in this Policy, in which case the matter will be closed;
2. agreed to by both the Complainant and the Respondent, will assist the two parties to negotiate or mediate an acceptable resolution of the complaint. If informal resolution yields a result that is acceptable to both parties, the Golf Canada Ethics Commissioner will make a written record that a complaint was made and was resolved informally to the satisfaction of both parties and will take no further action. If information resolution fails to satisfy the Complainant, or if the Complainant and the Respondent cannot agree on a mediator, the Complainant will reserve the option of submitting a formal written complaint;
3. The Complainant may decide to lay a formal written complaint, in which case the Golf Canada Ethics Commissioner will receive the written complaint and advise the Complainant that the Respondent will be given a copy of the written complaint without delay. To the extent the information is known by the Complainant, the written complaint should set out: the name (s) of the Complainant(s) and their contact information; the name of the person alleged to have committed the harassment (the Respondent), his or her position and contact information; any witnesses to the incident(s) and their contact information; the details of the incident(s) including the date, frequency, and location; and any supporting documentation.
The Respondent shall be given an opportunity to provide a written response to the complaint, and the response shall be provided to the Golf Canada Ethics Commissioner within 30 days of receipt of the complaint.
4. If the Complainant does not wish to proceed with a formal complaint but the member of the Human Resources Department of Golf Canada or the Ethics Commissioner decides that there should be an investigation, the Golf Canada Ethics Commissioner shall decide if the alleged harassment is serious enough to warrant submitting a formal written complaint, even if it is against the wishes of the Complainant.

When the Golf Canada Ethics Commissioner decides that the evidence and surrounding circumstances require a formal written complaint, the Golf Canada Ethics Commissioner shall issue a formal written complaint, and without delay, provide copies of the complaint to both the Complainant and Respondent.

If the Complainant does not wish to submit a formal complaint, and the Golf Canada Ethics Commissioner chooses to pursue the complaint under this section, the Complainant's identity will not be disclosed to the Respondent without first obtaining the Complainant's written permission, except where disclosure is required by law, or to protect the safety of the individual or others.

1. In the event the CEO/Executive Director is the Respondent:
 - a) The complaint shall be immediately reported to the Golf Canada Board;
 - b) In the event the parties wish to pursue an informal resolution of the complaint, a Golf Canada officer, director or governor shall be called upon to mediate the discussion;
 - c) In the event a formal complaint is launched, the Golf Canada Board shall oversee the investigation process as outlined below.

Investigation of Complaints

When a formal written complaint is received, the Golf Canada Ethics Commissioner shall commence an investigation or, in his or her discretion, may appoint another qualified external person to act as the investigator (the Ethics Commissioner or the appointed investigator, as applicable, shall hereinafter be called the "Investigator") to conduct a preliminary investigation of the complaint.

The Investigator may request any person to answer any questions and to provide any documents, papers, notes and other materials relevant to the investigation.

The Investigator shall carry out the investigation in a timely manner and at the conclusion of the investigation will submit a written report (the "Investigation Report") to (i) the Golf Canada Ethics Commissioner, if the Investigator is not the Ethics Commissioner, or (ii) the Golf Canada President (in the case of Golf Canada Participant other than an employee) or CEO/Executive Director (in the case of an employee), if, in either case, the Investigator is the Ethics Commissioner. The Investigation Report will include (i) the documentation filed by both parties; (ii) a summary of the relevant facts, and (iii) findings of fact that are needed to reach a conclusion as to whether discrimination or harassment has occurred.

Before the Investigation Report is issued, the Respondent shall have a reasonable opportunity to respond to the allegations. If the Respondent, declines to do so, or does not respond within the timeframe provided, the Investigation Report may nonetheless be issued. A Respondent may rely on any legal defenses recognized under applicable human rights law.

Upon issuance of the Investigation Report, the Golf Canada Ethics Commissioner shall provide a copy to the Golf Canada Board (in the case of a Golf Canada Participant other than an employee) or CEO/Executive Director (in the case of an employee), and to the Complainant and the Respondent without delay.

Suspension Pending Disposition of Complaint

Notwithstanding anything in these Procedures, if the Investigator determines in the Investigation Report that the Respondent's conduct constitutes discrimination, violence or harassment, the Golf Canada President (in the case of a Golf Canada Participant other than an employee) or the CEO/Executive Director (in the case of an employee), upon receiving the report, may suspend the Respondent's membership or employment on a temporary basis pending the disposition of the complaint.

Determinations Following Investigation

The Golf Canada Ethics Officer, together with the CEO/Executive Director (in the case of an employee) or the Golf Canada President (in the case of a Golf Canada Participant other than an employee) (in either case, hereinafter the "Review Panel"), shall determine whether discrimination or harassment has been established in light of the findings of fact contained in the Investigation Report, and if so, the nature and particulars of the discrimination and/or harassment.

Sanctions

The Golf Canada President (in the case of a Golf Canada Participant other than an employee) or the CEO/Executive Director (in the case of an employee) shall have the authority to impose sanctions, if warranted.

The Complainant and the Respondent shall be given a reasonable opportunity to make submissions to the Golf Canada President (in the case of a Golf Canada Participant other than an employee) or the CEO/Executive Director (in the case of an employee) prior to the imposition of sanctions.

Sanctions may include but are not limited to; written warning, temporary suspension, dismissal from position with association, expulsion from event/activity, banishment from further association activities, reporting of incident to authorities.

Appeals Procedure

Both the Complainant and the Respondent shall have the right to appeal the decision and sanctions of the Review Panel on the following grounds:

- a) that the investigation was conducted in an unfair or biased manner contrary to the rules of natural justice; or
- b) that the findings of fact contained in the Investigation Report (i) are insufficient to support a determination that discrimination or harassment has been established, or, alternatively, (ii) ought to have resulted in a determination that discrimination or harassment has been established.

There shall be no appeal from any finding of fact of the Investigation Report.

The notice of appeal shall be made in writing to the Golf Canada President (in the case of a Golf Canada Participant other than an employee) or the CEO/Executive Director (in the case of an employee) within fourteen days of the appellant receiving notice of the Review Panel's decision with respect to sanctions and must state the specific grounds for the appeal.

In the event of an appeal of the decision of the Review Panel, the Golf Canada Board shall appoint three individuals to serve as an appeals panel (hereinafter the "Appeals Panel"). No member of the Appeals Panel shall have had any prior involvement in the complaint or have a conflict of interest.

The Appeals Panel shall govern the hearing as it deems appropriate in the circumstances, provided that:

- a) Members of the Panel shall select from among themselves a Chairperson;
- b) A quorum shall be all three Panel members;
- c) The parties may be accompanied by a representative;
- d) The hearing shall be held in private;
- e) The parties shall be given ten (10) business days written notice of the day, time and place of the hearing; and
- f) The Investigator may attend the hearing at the request of the Panel.

Decision Of The Appeal

The Appeals Panel's deliberations shall take place in camera. No other person shall be present during the deliberations.

The Appeals Panel, by a majority of votes, shall:

- a) dismiss the appeal;
- b) substitute its own determination for the determination under appeal;
- c) substitute a sanction for the sanction under appeal; or,
- d) remit the complaint for further investigation and/or for re-determination in accordance with its directions.

The decision of the Appeals Panel shall be final and binding on all interested parties and shall not be subject to review by any Court for any reason. The Appeals Panel shall provide reasons for its disposition. Minority and dissenting reasons may also be provided.

A copy of the reasons shall be provided to Golf Canada, the appellant and to any respondent in the appeal.

Record Keeping

2. The Golf Canada Ethics Commissioner shall keep a secure record of every report and complaint under this Policy for at least two years. The record shall contain all relevant documentation, including:

- a) details of the report(s) and/or a copy of the complaint(s);
- b) the response(s), if any;
- c) any witness statements;
- d) the terms of any informal resolution, if any;
- e) the investigation report;

- f) the Panel's determination;
- g) the sanctions imposed, if any;
- h) any other correspondence; and,
- i) any minutes of the Golf Canada Board meeting(s).

3. Golf Canada recognizes the sensitive nature of harassment matters and in particular, the difficulties associated with coming forward with a complaint of harassment and with being accused of harassment. Golf Canada recognizes the interests of both the Complainant and the Respondent in keeping any matter being dealt with under this policy confidential, except where disclosure is required by a disciplinary proceeding or by law. All individuals involved in a complaint or investigation shall be advised to keep all information related to the complaint, incident and investigation strictly confidential and not to discuss the incident or investigation with each other, witnesses, or other parties (unless necessary to obtain advice about their rights).

No Retaliation For Using This Policy

All Golf Canada Participants have the right to make a complaint or enforce their rights under this Policy without retaliation or threat of retaliation.

Retaliation against a person who makes a complaint or who enforces any right under this Policy or who takes part in mediation or an investigation under this Policy, will be treated in the same manner as harassment and be subject to the same disciplinary actions if the allegations of retaliation are confirmed.

Retaliatory behaviour could include:

- a) The failure to extend to a person (or others of the same group or with the same characteristics) opportunities available to others;
- b) The refusal to work with a person or others of the same group or with the same characteristics as the Complainant; and,
- c) The breach of confidentiality requirements of this Policy.

Anonymous Complaint

In addition to the above complaint procedures, any Golf Canada Participant may report discriminatory practices, harassment or violence anonymously under Golf Canada's Whistleblower Policy.

Recognition And Prevention Of Discrimination, Harassment And Violence Policy Signature Page

My signature acknowledges that I have read the Recognition and Prevention of Discrimination, Harassment and Violence Policy in its entirety. I acknowledge my understanding of the policies and procedures. I agree to abide by the policies and procedures while representing Golf Canada's affairs.

Employee Name (please print)

Signature of Employee

Date

Note: Signed copy to be returned to Golf Canada's Human Resources Department