



**Thunder Bay Rowing Club
Workplace Harassment Program
(In Support of TBRC Workplace Harassment Policy)**

Thunder Bay Rowing Club (TBRC) is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace. Please refer to *Thunder Bay Rowing Club Workplace Harassment Policy* for TBRC's commitment to creating an environment free from any form of harassment.

The workplace harassment program applies to all individuals associated with TBRC who encounter a harassment situation as defined in our *Workplace Harassment Policy*.

1. Workplace Harassment

Workplace harassment means engaging in vexatious, workplace comments or workplace conduct that is known or ought reasonably to be known to be unwelcome or to be workplace sexual harassment. This could include but is not limited to annoying or irritating comments or conduct or invasions of personal space.

Workplace sexual harassment means:

1. engaging in vexatious, workplace comments or conduct because of the sex, sexual orientation, gender identity or gender expression of the worker, where the comments or conduct are known or ought reasonably to be known to be unwelcome, or
2. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to grant or deny a benefit or advancement to the worker, and where the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Reasonable action taken by TBRC relating to the management and direction of workers or the workplace is not workplace harassment (e.g. scheduling or performance reviews).

2. Reporting Workplace Harassment

Thunder Bay Rowing Club encourages anyone who has experienced workplace harassment to formally report the incident. No one will be penalized for reporting incidents of workplace harassment.

2A. How to Report Workplace Harassment

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the TBRC *Workplace Complaint Form* (see attached). When reporting verbally, you will be asked for details which will be noted on the complaint form.

The report of the incident should include the following information:

1. Name(s) and contact information of the person alleging workplace harassment
2. The alleged harasser(s)' name, position and contact information (if known)
3. Name and contact information (if known) of any witness(es) or other person(s) with relevant information about the incident
4. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
5. Any relevant, supporting documents the complainant may have
6. A list of any relevant documents a witness, another person or the alleged harasser may have

2B. Who to Report Workplace Harassment to

Report any incident or complaint of workplace harassment to the President, unless the President is the alleged harasser, in which case report it to another member of the Board of Directors. Report the incident as soon possible, so it can be investigated in a timely manner.

Confidentiality is important. While the investigation is on-going, no one, including affected parties and witnesses should discuss the incident, complaint or investigation with each other nor with other workers unless necessary to obtain advice about their rights.

3. Investigation

3A. Commitment to Investigate

TBRC will ensure that an investigation appropriate in the circumstances is conducted when the President or a Board Member becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

3B. Who Will Investigate

Providing the report does not implicate the President or an Executive Board Member of TBRC, the President will determine who shall conduct the investigation. If the report does involve one of these persons, TBRC will refer the investigation to an impartial, external person qualified to conduct a workplace harassment investigation.

3C. Timing of the Investigation

The investigation will be completed within 90 days-unless there are extenuating circumstances warranting a longer investigation (e.g. illness or investigation complexities).

3D. Investigation Process

The person conducting the investigation will, at a minimum, complete the following:

1. The investigator will ensure that the investigation is kept confidential and that identifying information is not disclosed unless necessary to conduct the investigation. At the beginning of the investigation, the investigator should remind the parties of this confidentiality obligation.
2. The investigator will interview both the staff/volunteer who allegedly experienced the harassment and the alleged harasser(s), if the alleged harasser is a TBRC employee or volunteer. If the alleged harasser is not an employee, the investigator should make reasonable efforts to interview the alleged harasser.
3. The alleged harasser(s) will be given the opportunity to respond to the specific allegations raised by the worker. The worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
4. The investigator will interview any relevant witnesses employed by TBRC. If applicable, the investigator will make reasonable efforts to interview any relevant witnesses who are not employed by TBRC.
5. The investigator will collect and review relevant documents.
6. The investigator will take appropriate notes and statements during interviews with worker, alleged harasser and witnesses.
7. The investigator shall prepare a written report summarizing the complaint and the steps taken during the investigation. The report shall include the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of

any witnesses, and the evidence gathered. The report must set out findings of fact and whether or not workplace harassment was found to have occurred.

3E. Results of the Investigation

Within 10 days of the investigation being completed, TBRC will send written notices to the person who alleged workplace harassment and to the alleged harasser (if he or she is an employee or volunteer of TBRC) informing them of the report's conclusions and of any corrective action that TBRC has taken or will take to address workplace harassment.

3F. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

3G. Handling Complaints

Between the times a complaint is received and the investigation report is received, interim measures may be taken if necessary. During this period, the President (or other Board Member if the President is an alleged harasser) will work with the affected parties to determine if an alternate work situation is required. This could include, for example, a change in reporting structure, alternate work location or not serving a specific customer/club/sponsor. If a work separation of complainant and respondent is required, neither party shall suffer any penalty in their work during this period.

During the period of investigation, the complainant shall not be compelled to attend a joint meeting with the alleged harasser. Either party may request that an individual (who is not legal counsel) accompany them to the investigation meetings for support. The friend can only act as a silent witness.

There will be consequences for any employee, supervisor, or other person associated with TBRC found to have engaged in workplace harassment. Possible consequences include, but are not limited to apologies, education, counseling, shift changes, reprimands, suspension, job transfer, or termination depending on the nature or severity of the behavior and the circumstances.

4. Record Keeping

TBRC will keep records of the investigation including:

1. a copy of the complaint or details about the incident
2. a record of the investigation including notes
3. a copy of the investigation report (if any)
4. a summary of the results of the investigation that were provided to the worker who allegedly experienced the workplace harassment and to the alleged harasser, if a TBRC worker
5. a description of any corrective action taken to address the complaint or incident of workplace harassment

All records of the investigation will be kept confidential. The investigation documents, including the report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

Records will be kept for a minimum of three years or at least a year after the individuals cease their association with TBRC.

The Board of Directors will review the procedures and program for handling workplace harassment and workplace sexual harassment complaints annually and all staff and volunteers will be trained in the policy and program.

Approved by the Board of Directors

Date: February 7, 2022