

GENERAL POLICY STATEMENT/APPLICATION

1. Members should enjoy an environment which is free of harassment and abuse of any kind. The purpose of this policy is to provide Members and the Club with a mechanism for dealing with behaviour and actions which may be offensive, harassing or intimidating and to ensure, as much as practical, that such behaviour does not occur at any sanctioned or non-sanctioned event, on-court or off-court, social activity, match, or any other activity or undertaking which can be reasonably related to a relationship established between or among Members of the Club.
2. This policy applies to all Members and Guests. Members shall be specifically responsible for the actions of their Guests. Members may face all sanctions set out herein for actions of their Guests.

DEFINITIONS

1. "Activity" means any sanctioned or non-sanctioned event, on-court or off-court, social activity, match, or any other activity or undertaking which can be reasonably related to a relationship established between or among Members of the Club.
2. "Club" means the Davisville Tennis Club.
3. "Complaint" means a formal complaint filed by a Complainant.
4. "Complainant" means any person raising an incident, formally or informally, of Harassment on his or her person or where such person is a minor, a legal guardian of such person.
5. "Guest" means any person participating at an Activity who is not a Member, but invited to participate at the request of a Member.
6. "Harassment" means any behaviour which may be offensive or intimidating to another person, whether intentional or not.
7. "Member(s)" means any Club employee, paid or honorary Club member.
8. "Respondent" means the party accused of Harassment by the Complainant and as set out in the Complaint.
9. 'Senior member of the Executive Committee' refers to the order that Executive Committee members are elected at the Annual General Meeting.

OPERATION/PROCEDURE

1. The Executive Committee (as defined in the Club's By-Laws) shall establish a discipline committee to receive Complaints from Complainants regarding Harassment at or during a Club Activity. Such discipline committee shall be comprised of the President, Vice President and Secretary of the Club, and two general members of the club who preferably have experience in HR and law, elected by the membership at a General Meeting of the membership for a one-year term, with the noted exceptions:
 - a. In the event that one or more of the Executive Committee positions is not filled, the committee will be constituted by the three most senior members of the Executive Committee where those Executive Committee positions are filled; and/or
 - b. Where the complainant or respondent is the President, Vice President, Secretary and/or elected members of the discipline committee, such person(s) will be replaced by the next most senior member of the Executive Committee on the discipline committee.
 - c. If the elected positions are empty due to a lack of candidates, the next most senior board member(s) will fill the general member position(s).
2. Quorum for the discipline committee is three members and the discipline committee total is five.

3. In the event that a Member or Guest participating at a Club Activity feels that they have been a victim of Harassment by another Member or Guest participating at or during a Club Activity, such person should:
 - a) Tell the harasser his/her behaviour is unwelcome and ask him/her to stop;
 - b) Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). Victims of Harassment are not required to keep such a record in order to file a Complaint, but a record can strengthen a case and help a victim remember details over time; and/or.
 - c) If, after asking the harasser to stop his/her behaviour, and the Harassment continues, file a Complaint to the discipline committee.

For clarity nothing herein requires a victim of Harassment to ask the harasser to stop the Harassing behaviour prior to filing a Complaint. A Complaint can be filed without such requests.

4. A Complaint should be addressed to the discipline committee in writing and be contained in a sealed envelope. It should also set out in reasonable detail the Respondent, that nature, time and location of the Harassment and any witnesses to the Harassment. Such Complaint may be delivered to any member of the Executive Committee, the court manager or a court steward, whom shall forward it to the discipline committee. Such Complaint shall then be forwarded in its sealed envelope to a member of the discipline committee. Once a complaint is received, it will be kept strictly confidential. An investigation will be undertaken immediately and all necessary steps taken to resolve the problem. For clarity, the discipline committee may conduct such investigation in writing and/or in person.
5. Both the Complainant and the Respondent will be interviewed (either in writing or personally), as will any individuals who may be able to provide relevant information. All information will be kept in confidence.
6. If the investigation reveals evidence to support the Complaint of Harassment, the discipline committee will make a recommendation to the Executive Committee that the Respondent be disciplined and recommend the form of such discipline, having regard to the nature and seriousness of the Harassment. Such recommendation may include warnings, suspension, or a life time membership ban from the Club. The Executive Committee will then impose what ever discipline it feels is warranted in the incident and advise both the Complainant and Respondent of same.
7. Where there is evidence that a Complaint is filed in a vexatious manner and not in good faith, the discipline committee may recommend that the Complainant be disciplined. For clarity there will be no repercussions against a Complainant where the Complaint is filed in good faith, whether the Complaint is upheld or not.
8. Either the Complainant or Respondent may appeal, to the Executive Committee, the upholding or not of a Complaint or the discipline imposed to by the Executive Committee, provided that a request for such appeal is made in writing within 15 days of the Respondent and/or Complaint receiving notice of the discipline committee's decision and any discipline imposed by the Executive Committee. In the event the Executive Committee receives such a request, it shall as soon as practical schedule a meeting of the Executive Committee to hear such appeal and notify the Complainant and Respondent of the date, time and location of such appeal. For greater certainty, the filing of an appeal does not suspend, or in any way stay, the discipline previously imposed by the Executive Committee.
9. Both the Complainant, Respondent and a member of the discipline committee shall be entitled to make submissions to the Executive Committee regarding the incident, findings and recommended discipline. The Executive Committee shall then determine whether the upholding or not of a Complaint was warranted and in the event a Complaint is upheld the appropriate discipline. The decision of the Executive Committee in this matter will be final.