

LISA ADMINISTRATION MANUAL

Chapter 10

Harassment, Bullying & Dispute Resolution

(Updated December 13, 2016)





Chapter 10 – Harassment, Bullying and Dispute Resolution

Rule 1000 Introduction

1. Harassment is a form of discrimination. Harassment is prohibited by the Canadian Charter of Rights and Freedoms and by human rights legislation in every province and territory of Canada.
2. Harassment is offensive, degrading and threatening. In its more extreme forms, harassment, in particular, sexual harassment can be an offence under Canada's Criminal Code. **If you have been a victim of a crime or you think you have been a victim of a crime call the police.**
3. There will be no tolerance of harassment within the jurisdiction of the Lower Island Soccer Association.
4. Members, employees and volunteers of LISA are jointly responsible to free their sport/working environment of harassment by:
 - A. Providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment which promotes equal opportunities, prohibits discriminatory practices and is free from abuse and harassment.
 - B. Providing an environment free of harassment on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status or disability.
 - C. Taking assertive action should they feel that they are being subjected to harassment
 - D. 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 behavior.
5. LISA is committed to:
 - A. The education of all of its members in the area of harassment and to providing information to the parents/guardians of its youth members on the policies, procedures and education initiatives on harassment.
 - B. Encouraging the reporting of all incidents of harassment regardless of who the harasser may be and is committed to a process that is widely published in the soccer community, available to all participants and easy to follow and implement.
 - C. Ensuring that all members are aware of the policy to a reasonable extent. This includes clear information on the steps which are taken when cases are reported.

Rule 1001 Application of these Rules and Regulations

- A. These rules and regulations apply to all directors, officers, volunteers, coaches, athletes, officials, employees and others who wish to participate in activities sanctioned by the Lower Island Soccer Association.
- B. LISA encourages the prompt reporting of all incidents of harassment, regardless of who the offender may be.
- C. For the purposes of this policy, harassment can occur in the following places:
 - i. At on-field soccer events (competitions, training sessions/practices, league matches, exhibitions matches, tournaments etc.);
 - ii. At off-field soccer functions, such as meetings, conferences, training sessions, and workshops;



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- iii. At the office;
- iv. At soccer related social functions;
- v. During soccer/work-related travel;
- vi. Through any form of communication device/system including but not limited to telephone, email, fax, postal service, SMS, Social Media (Twitter, Facebook, MSN etc...);
- vii. Elsewhere if the person harassed is there as a result of soccer/work-related responsibilities or a soccer/work-related relationship.

Rule 1002 Responsibility for Implementation of these Rules and Regulations

- A. Every club is responsible to ensure this policy is implemented, circulated and applied in a manner that is fair and equitable to all persons;
- B. Each club shall name a Director of Risk Management. The name will be supplied to the Lower Island Soccer Board by the date specified by LISA each year;
- C. In the case of a cross club or multi-club complaint involving participants at a club hosted event, the Director of Risk Management of the hosting club at which the event occurred shall be the responsible authority.
- D. Every complaint made in good faith will be processed promptly and fairly in accordance with these rules and regulations.

Rule 1003 Dispute Resolution

1. Procedure:

A prompt, thorough, and fair outcome will be sought in all complaints. When a person believes they have a complaint they must be given the opportunity to voice their concerns in a confidential manner without fear of reprisal against themselves or against any person they represent. The District (LISA) and the Clubs shall apply the following in an attempt to resolve the dispute:

- A. Step 1:
 - i. In the initial instance the complainant may, if it is appropriate and they are comfortable, approach the respondent with a view to informally resolving the issue. This approach should be made in a private manner away from practices or games and at an appropriate time and place.
 - ii. When dealing with a matter arising during or after a game situation any discussions should be conducted as privately as possible. A coach or manager may be asked to informally mediate.
 - iii. The concern should be expressed in a respectful manner and in such a way that there is a sincere attempt to informally resolve the issues between the parties.
- B. Step 2:
 - i. If the dispute cannot be resolved informally, a written complaint may be delivered to the Risk Management Director of the complainant's Club. The Risk Management Director shall contact the parties involved and attempt to



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mediate a resolution. The Director may make recommendations for change to Club or District policies as part of the resolution.

C. Step 3:

- i. If the Risk Management Director cannot resolve the dispute, the parties will be asked to each appoint a representative, not otherwise involved in the dispute, to sit on a hearing panel to address the matter.
- ii. The two representatives will appoint a third person that they mutually agree upon to sit as chairperson of the panel. If they cannot agree upon a third person within seven days, the LISA Risk Management Director may either sit as chairperson, or appoint an independent third party as chairperson of the panel.
- iii. The panel will hear from both the complainant and the respondent and any other person whom the panel considers may have relevant information. At the conclusion of the hearing the panel shall deliver a decision forthwith or in any event within 14 days. A decision may be rendered at the conclusion of the hearing. In all cases it will be reduced to writing, and copies delivered to the complainant and the respondent within 14 days.
- iv. The panel will find the complaint either founded or unfounded.
- v. If the complaint is unfounded it will be dismissed.
- vi. If the complaint is founded, the panel shall allow the respondent an opportunity to make submissions, either in person or in writing, as to appropriate discipline. The panel may deliver a decision as to discipline forthwith after hearing from the respondent, or in any event within 14 days from the hearing. The decision of the panel as to discipline will be reduced to writing and provided to the respondent and complainant.
- vii. The LISA Director of Risk Management will provide copies of any decision of the panel to the Presidents of the complainants and respondents Clubs.

2. **Confidentiality:**

~~A prompt, thorough, and fair outcome will be sought in all complaints (moved location).~~ All parties have a responsibility to protect the privacy, rights, and dignity of those persons involved in a complaint.

3. **Legal Representation:**

In order to provide a complaint and dispute resolution process that can be managed at the volunteer level, no barrister or solicitor shall make any presentations for, or represent any association, club, league, team, player or parent at any dispute hearing. It is understood and accepted by all parties that neither a club nor the district can be held to the same extensive legal standards required in a court of law or when paid professionals are used to carry out the process. Each harassment complaint must be allowed to proceed to a speedy and just conclusion with a minimum of legal argument.

4. **Penalties:**

The Dispute Resolution Panel, as part of its findings, may impose penalties it deems appropriate in the circumstances. This may include, but is not limited to:

- A. A verbal apology;



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- B. A written apology;
- C. A letter of reprimand from the Club and when appropriate from LISA;
- D. A fine or levy;
- E. Referral to counselling;
- F. Removal of certain privileges of membership or employment;
- G. Temporary suspension with or without pay;
- H. Termination of employment or contract;
- I. Expulsion from membership; or,
- J. Any other remedy as may be appropriate.

6. **Failure to Comply:**

The failure by an individual to comply with a penalty directed by the Dispute Resolution Panel shall result in that individual having to withdraw from further involvement in district activities.

7. **Conflict of Interest:**

When a complaint arises at the club level wherein there is, or would appear to be, a conflict of interest with the club board, and the matter cannot be resolved informally, the issue shall be referred to the LISA Director of Risk Management.

8. **BC Soccer Disciplinary Action:**

Nothing in these rules and regulations is intended to replace team, player, club or other disciplinary action or penalties carried out under the rules and regulations of BC Soccer.



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Appendix A

-Definitions-

Complainant: An employee, athlete, coach, official, or other participant in a Lower Island Soccer Association activity, who thinks they have been harassed.

Respondent: The perpetrator of the action(s), which the complainant thinks, constitutes harassment.

Responsible Adult: Where the complainant or the respondent is a minor, a parent, guardian, or other adult of the minor's choice, may speak on behalf of the minor complainant or the minor respondent.

Risk Management Director: An individual appointed by a club or LISA who, among other things, shall administer these rules and regulations.

Harassment and/or bullying: Behaviour including comments, conduct or gestures which is 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, offence, or humiliation to another person or group, including, but not limited to:

- i. verbal abuse or threats;
- ii. psychological behaviour which would be seen by a reasonable person as intending to belittle, intimidate, coerce, or isolate another person;
- iii. physical assault;
- iv. unwelcome remarks, jokes, innuendoes, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, religion, etc.;
- v. displaying of sexually explicit, racist or other offensive or derogatory material, sexual, racial, ethnic or religious graffiti;
- vi. practical jokes which cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance;
- vii. hazing or initiation rites;
- viii. written, leering or other suggestive or obscene gestures;
- ix. intimidation;
- x. careless or wanton disregard of the privacy of any individual;
- xi. condescension, paternalism, or patronising behaviour which undermines self-respect or adversely affects performance or working conditions;
- xii. conduct, comments, gestures or contact of a sexual nature that is 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 any opportunity for selection, training or advancement;
- xiii. false accusations of harassment motivated by malice or mischief, and meant to cause another harm, is considered harassment;
- xiv. sexual harassment;
- xv. acts of retaliation towards an individual making a harassment complaint.



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Appendix B

-Resources-

Human Rights		
B.C. Human Rights Tribunal	Investigates complaints of harassment on behalf of the Province.	604 775-2000 Toll-free: 1-888-440-8844
WorkSafe BC	Provides information on bullying and harassment such as definitions, WorkSafeBC complaints procedures and resource tool kits.	Link to website

Counselling		
Kids Help Phone	24-hour crisis line for children, staffed by counsellors.	1-800-668-6868
Helpline for Children	24-hour helpline for children, parents or community members with issues related to child abuse.	310-1234 (no area code required)
Crisis Centre	Women Against Violence Against Women - 24-hour crisis line.	604-255-6344 Toll-free: 1-877-392-7583
Victoria Women's Sexual Assault Centre	24-hour crisis line	250-383-3232

Other materials used for information in this document

- Help Stop Child Abuse : A Handbook for Employers and Volunteer Co-ordinators, Province of BC
Ministry of Social Services