

**The Water Rat Sailing Club  
Harassment Program  
(In Support of the Harassment Policy)**

The Water Rat Sailing Club is committed to providing a club environment in which all members are treated with respect and dignity. Harassment will not be tolerated from any person in the club. Please see the attached Harassment Policy for more information on The Water Rat Sailing Club's commitment to creating an environment free from any form of harassment.

The harassment program applies to all individuals associated with The Water Rat Sailing Club who encounter a harassment situation as defined in our policy.

**1. Harassment**

Harassment means engaging in a course of vexatious comment or conduct against a person in the club that is known or ought reasonably to be known to be unwelcome or sexual harassment. This could include but is not limited to annoying or irritating comments or conduct or invasions of personal space. Sexual harassment means:

1. engaging in a course of vexatious comment or conduct against a member in the club 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,
2. 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 the member and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the Board relating to the management and direction of members or the club is not harassment.

**2. Reporting Harassment**

The Water Rat Sailing Club encourages anyone who has experienced harassment to formally report the incident, no one will be penalized in any way for reporting incidents of harassment.

**A. How to Report Harassment**

Members, volunteers, stakeholders, guests, visitors and volunteers can report incidents or complaints of harassment verbally or in writing. When submitting a written complaint, please use the harassment complaint form (see attached). When reporting verbally, the reporting contact, along with the individual complaining of harassment, will fill out the complaint form.

The report of the incident should include the following information:

1. Name(s) of the person who has allegedly experienced harassment and contact information
2. Name of the alleged harasser(s), position and contact information (if known)
3. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
4. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
5. Any supporting documents the members, volunteers, stakeholders, guests, visitors and volunteers who complains of harassment may have in his/her possession that are relevant to the complaint.
6. List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

## **B. Who to Report Harassment to**

An incident or a complaint of harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

Report a harassment incident or complaint to the Commodore. If this individual is the person engaging in the harassment, contact any member of the Board of Directors who are prepared to assist you in your complaint.

The Commodore based on the position of the alleged harasser shall be notified of the harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves the Commodore or a member of the Board of Directors, an external person qualified to conduct a harassment investigation who has knowledge of the relevant harassment laws will be retained to conduct the investigation.

All incidents or complaints of harassment shall be kept confidential except to the extent necessary to protect members, volunteers, stakeholders, guests, visitors and volunteers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

## **3. Investigation**

### **A. Commitment to Investigate**

The Water Rat Sailing Club will ensure that an investigation appropriate in the circumstances is conducted when the Commodore or a Board Member becomes aware of an incident of harassment or receives a complaint of harassment.

### **B. Who Will Investigate**

Commodore will determine who will conduct the investigation into the incident or complaint of harassment. If the allegations of harassment involve these individuals or a member of the Board Executive, The Water Rat Sailing Club will refer the investigation to an external investigator to conduct an impartial investigation.

### **C. Timing of the Investigation**

The investigation will be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

### **D. Investigation Process**

The person conducting the investigation whether internal or external to the club will, at minimum, complete the following:

1. The investigator will ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
2. The investigator will thoroughly interview the staff/volunteer who allegedly experienced the harassment and the alleged harasser(s), if the alleged harasser is a member and volunteers of The Water Rat Sailing Club. If the alleged harasser is not a member or volunteer, the investigator will 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 other person. In some circumstances, the person who allegedly experienced the harassment should be given a reasonable opportunity to reply.
4. The investigator will interview any relevant witnesses who may be identified by either the person who allegedly experienced the harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator will make reasonable efforts to interview any relevant witnesses who are not members or volunteers if there are any identified.
5. The investigator will collect and review any relevant documents.

6. The investigator will take appropriate notes and statements during interviews with the person who allegedly experienced harassment, the alleged harasser and any witnesses.
7. The investigator will prepare a written report summarizing the steps taken during the investigation, the complaint, and the allegations of the person who allegedly experienced the 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 come to a conclusion about whether harassment was found or not.

#### **E. Results of the Investigation**

Within 10 days of the investigation being completed, the person who allegedly experienced the harassment and the alleged harasser, if he or she is a member or volunteer of THE WATER RAT SAILING CLUB, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address harassment.

#### **Confidentiality**

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

While the investigation is on-going, the person who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or other persons or witnesses 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.

#### **Handling Complaints**

In the time frame after a complaint is received until the investigation report is received interim measures will be considered and taken if necessary. The Commodore based on the position of the alleged harasser will work with both the person who allegedly experienced the harassment and the alleged harasser, if he or she is an member or volunteer of The Water Rat Sailing Club to determine if an alternate situation needs to be put into place. It may be necessary for separation of the two parties during the period of investigation.

During the period of investigation, the complainant shall not be compelled to attend a joint meeting. 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.

Where the investigation finds that harassment arises from a member, volunteer or other person associated with the club, there will be consequences for the individual. Examples of possible consequence could include, but are not limited to apologies, education, reprimands, membership suspension, or membership termination depending on the nature or severity of the behavior and the circumstances.

#### **4. Record Keeping**

The Water Rat Sailing Club 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 was provided to the person who allegedly experienced the harassment and the alleged harasser;
5. a copy of any corrective action taken to address the complaint or incident of harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of 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 are associated with the organization.

Commodore will review the procedures and program for handling harassment and sexual harassment complaints annually and all members will be made aware of the policy and program.

Approved by the Board of Directors Date: Tuesday, March 24, 2020