



Harassment and Abuse Policy

Position Statement

Baseball Ontario is committed to 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 and prohibits discriminatory practices. Baseball Ontario will not tolerate harassment among its members, participants and employees.

Harassment takes many forms, but can generally be defined as comment, conduct or gesture directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive. Sexual harassment refers to any sexual advances, requests, suggestions or activity of a sexual nature that is unwelcome by the recipient. Harassment is discriminatory, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada's Criminal Code.

Baseball Ontario strives to provide the safest possible environment for all of our participants. We encourage all of our member associations to do whatever is required in their circumstances to eliminate and protect against all forms of harassment. To assist in meeting this goal, Baseball Ontario will provide to all member associations, upon request, up to date literature on the subject. The objective is to make baseball a sport in which children can feel safe playing and in which parents can feel safe having their children play.

Baseball Ontario strongly encourages all of its members to learn to recognize and understand what constitutes harassment. An individual, who perceives any activity as a form of harassment, should be encouraged to tell the offending party that the activity is not appreciated. If the offending behaviour continues, the complainant should be encouraged and supported in notifying the appropriate authorities, including the executive of the relevant baseball association. The authorities should act promptly and with integrity, while respecting the rights of all those involved.

If someone in authority uses his/her power or position to harm another, whether emotionally, physically or sexually, this is abuse. If a person is threatened, intimidated, taunted or subjected to racial, homophobic or sexist slurs, this is harassment. Emotional and physical abuses are attacks on a child's self-esteem and can be psychologically damaging. Name calling, threatening, ridiculing, intimidating, isolating, hazing or ignoring a player's needs are examples of emotional abuse and should not be tolerated at any level. Any purposeful attack on a player, coach or umpire such as slapping, kicking, hair pulling, shaking, shoving, grabbing, etc. can be physical abuse and is both offensive and unacceptable.

Baseball Ontario encourages all of its member associations to report situations that are deemed to be harassment or abuse immediately to the Local Association which is responsible for the team. The Local Association executive are encouraged to have in place measures to deal with such a situation in an expedient and fair manner. Baseball Ontario recognizes the independence and integrity of the Affiliated and Local Associations and commits to supplying the measure of support required to ensure that all members are aware of their rights and obligations.



Baseball Ontario Teams/Staff

The following outlines the procedures that will be followed in the event of any allegations of harassment or abuse at the Baseball Ontario level.

- Any complaint of harassment or abuse will be referred in writing to the President (or if the President is alleged to have committed the harassment or abuse to the 1st Vice President).
- The President (or 1st Vice President) shall within 3 days of receipt of the complaint form a committee (the "Committee") of three persons from the Human Resources Committee to investigate and resolve the complaint.
- All aspects of the investigation shall be kept confidential, except on a need to know basis.
- The Committee shall be entitled to retain expert advice, including legal advice, as it deems appropriate.
- The Committee shall within 5 days of receipt of the complaint by the President (or 1st Vice President), notify the person(s) alleged to have committed the complaint (the "respondent(s)") of a complaint and initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
- During the investigation the Committee will interview the complainant, the respondent and any witnesses to determine whether the alleged violation occurred.
- Within 28 days of the receipt of the complaint by the President (or 1st Vice President), the Committee will submit a written report of their findings.
- If it is determined that harassment or abuse in violation of the policy has occurred, the Committee will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) severity, frequency and pervasiveness of conduct; b) prior complaints made by the complainant; c) prior complaints against the respondent; and d) the quality of the evidence (e.g., first-hand knowledge, credibility, corroboration).
- If the investigation is inconclusive or if it is determined that there has been no violation of this policy but problematic conduct may have occurred, the Committee may recommend appropriate preventative action.
- Within five days after the investigation has concluded, the Committee will meet with the complainant and respondent separately, notify them of the findings of the investigation and inform them of any action being recommended.
- The complainant and respondent may submit statements to the Committee challenging the factual basis of the findings. Any such statement shall be submitted no later than 7 days after their meeting with the Committee.
- If no challenge to the Committee's findings is submitted, the Committee's recommendations will be implemented.
- If a challenge is submitted, then the Committee's report and the challenge will be submitted to the full Human Resources Committee for adjudication. The Human Resources Committee will make a determination within 7 days of the challenge (or the later challenge if both the complainant and the respondent challenge the Committee's report).
- The Human Resources Committee's decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be implemented.



- Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through provincial or federal agencies or the courts.
- If the complaint is an allegation against a member of the Board of Management, the Director's Policy will also apply. The provisions of this Harassment Policy will replace the mediation portion of the Director's Policy, but the provisions of the Director's Policy relating to notice and conduct at a Board of Management meeting to consider removal of the member of the Board of Management will apply to the Board of Management meeting.