

Discrimination & Harassment Policy

1. PURPOSE

1.1 The Snowy Owl Monarchist Society (SOMS), The Imperial Sovereign Court of Winnipeg and All of Manitoba is committed to providing community-based fundraising environment that enhances the dignity and self-esteem of all of its volunteers and event participants from harassment.

1.2 The SOMS will neither tolerate nor condone any inappropriate or irresponsible conduct including any form of behavior which creates an intimidating, hostile or offensive environment for volunteers, venue staff and event participants through the harassment of an individual or group.

1.3 This policy also establishes a process for dealing with complaints of discrimination or harassment should they arise.

1.4 Nothing in this harassment provision is intended to discourage or prevent SOMS volunteers, venue staff, and event participants from initiating a harassment complaint to the Manitoba Human Rights Commission or exercising any other legal rights available under the law.

2. DEFINITIONS

2.1 *"Discrimination"*: Refers to intentional or unintentional differential treatment based on a generalization or a protected characteristic outlined by the *Manitoba Human Rights Act*. Discrimination may be intentional (overt) or unintentional (systemic).

2.2 *"Harassment"*: Refers to abusive and unwelcome behaviours including comments and/or conduct which is insulting, intimidating, humiliating, hurtful, malicious, degrading, demeaning or otherwise offensive to an individual or groups of individuals, or which creates an uncomfortable environment.

2.3 Harassment may include but is not limited to: written or verbal abuse or threats; sexually oriented comments; racial or ethnic slurs; unwelcome remarks, jokes, innuendos, or taunting about a person's body, attire, age, marital status, ethnic or racial origin, sexual expression or romantic attractions; display of racist, ableist, or other offensive or derogatory material; practical jokes which cause awkwardness, embarrassment or humiliation; unwelcome sexual remarks, invitations, or requests whether indirect or explicit, or intimidation; leering or other obscene or offensive gestures; condescension or behaviour which undermines self-respect; physical behaviour such as inappropriate or nonconsensual touching or contact.

2.4 *"Complainant"*: is a person who alleges they have been subject to discrimination or harassment as defined in this policy.

2.5 *"Respondent"*: is a person who is alleged to have engaged in discrimination or harassment as defined in this policy.

3. POLICY

- 3.1 Discrimination or harassment by SOMS volunteers, venue staff, and event participants is strictly prohibited and will not be tolerated.
- 3.2 It is recognized that creating and maintaining an organization free from discrimination and harassment is a shared responsibility.
- 3.3 The SOMS will take appropriate measures against any volunteers, venue staff, and event participants who subject another individual to harassment.
- 3.4 The SOMS and the Manitoba Human Rights Commission provide sanctions against discriminatory behaviour or harassment. What constitutes discriminatory behaviour or harassment is outlined in the *Human Rights Code of Manitoba*.

4. COMPLAINT AND INVESTIGATION PROCESS

- 4.1 Individuals who feel that they have experienced harassment are encouraged, if possible, to clearly and firmly make known to the respondent that the behaviour is experienced as harassment and must stop.
- 4.2 If the alleged harassment continues, or if circumstances constrain an individual from objecting, a complaint of harassment can be brought to the immediate attention of the President of the Board of Directors.
- 4.3 The President of the Board of Directors, upon receiving a complaint, will ensure that an investigation is undertaken expeditiously, fairly and confidentially.
- 4.4 As required, alternate of additional internal or external investigators may be appointed by the Board of Directors.
- 4.5 Information shall be kept confidential. The SOMS (including those investigating the complaint) will not disclose the identity of the person(s) complaining, or the respondent, except where disclosure is necessary for the purpose of investigating or taking disciplinary action in relation to the complaint unless required by law.
- 4.6 The alleged harasser will be provided with information concerning the circumstances of the complaint and may be accompanied by a representative.
- 4.7 Following the conclusion of the investigation, the President of the Board of Directors will inform the complainant and the respondent of the results of the investigation.
- 4.8 Where harassment has not been substantiated, no action will be taken against the SOMS volunteer(s), venue staff, and event participant(s) who has made a complaint in good faith.
- 4.9 A complaint of harassment which is either fraudulent or malicious may itself be regarded as major misconduct subject to disciplinary action.

5. FINDINGS AND BREACH OF POLICY

- 5.1 Where a complaint is determined to be substantiated following the investigation, immediate and appropriate corrective action will be taken by or at the direction of the Board of Directors.
- 5.2 Corrective action may include, but is not limited to:
 - a) public or private apology (verbal or written)
 - b) referral to educational services
 - c) restricted/no access to specific SOMS events
 - d) suspension/expulsion from the SOMS
 - e) disciplinary action including warning, reprimand, or suspension

5.3 The President will thereafter advise the Complainant that corrective action has been taken, but will not provide the Complainant with the particulars of that action unless, in the discretion of the Discrimination and Harassment Officer, extenuating circumstances warrant doing so.

6. APPEALS

- 6.1 Any party may appeal a decision made under the Discrimination and Harassment Policy by forwarding a written note or letter to the President of the Board.
- 6.2 An Appeal Board will conduct appeals within 14 working days. This Board will be determined on a case-by case basis and will consist of two board members, one member of the College of Monarchs, and one member-at-large.
- 6.3 The Appeal Board will:
 - a) Inform, in writing, the person reporting the discrimination or harassment that the allegations will be investigated,
 - b) Inform, in writing, the person against whom the complaint is made as to the allegations, request a response to the allegations and advise that the complaint is being investigated,
 - c) Separately interview any parties and witnesses to the complaint. Witnesses may include those who have direct knowledge or experience of similar conduct from the alleged harasser;
 - d) Prepare a written report, including recommendations, and forward same to the President of the Board for final approval.

7. RETALIATION

- 7.1 Retaliation against a person who has complained of discrimination or harassment, given evidence in a harassment investigation, or been found to be in breach this policy, whether the complaint has been substantiated or unsubstantiated may itself result in disciplinary or corrective action.