

**GEORGIAN YACHT CLUB**  
**Workplace Harassment Program**  
**(In Support of the Workplace Harassment Policy)**

Georgian Yacht Club, hereafter GYC, is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace. Please see the attached Workplace Harassment Policy for more information on GYC commitment to creating an environment free from any form of harassment.

The workplace harassment program applies to all individuals associated with GYC who encounter a harassment situation as defined in our policy.

**1. Workplace Harassment**

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. This could include but is not limited to annoying or irritating comments or conduct or invasions of personal space.

Workplace sexual harassment means:

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

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. (This could include but not limited to scheduling or performance reviews).

**2. Reporting Workplace Harassment**

GYC encourages anyone who has experienced workplace harassment to formally report the incident, no one will be penalized in any way for reporting incidents of workplace harassment.

**A. How to Report Workplace Harassment**

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace 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 workplace 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 staff/volunteer 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 Workplace Harassment to**

An incident or a complaint of workplace 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 workplace harassment incident or complaint to the Commodore of the Board. If either of these individuals is the person engaging in the workplace 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 workplace 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 of the Board of Directors, an external person qualified to conduct a workplace harassment investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation. All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

### **3. Investigation**

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

GYC will ensure that an investigation appropriate in the circumstances is conducted when the Commodore or a Board Member becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

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

The Commodore will determine who will conduct the investigation into the incident or complaint of workplace harassment. If the allegations of workplace harassment involve these individuals or a member of the Board, GYC 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 workplace 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 workplace harassment and the alleged harasser(s), if the alleged harasser is an employee or volunteer of GYC. If the alleged harasser is not an employee, 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 worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
4. The investigator will interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace 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 employed by the employer 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 worker who allegedly experienced workplace 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 worker who allegedly experienced the workplace 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 workplace harassment was found or not.

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

Within 10 days of the investigation being completed, the employee or volunteer who allegedly experienced the workplace harassment and the alleged harasser, if he or she is an employee or volunteer of GYC, 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 workplace harassment.

#### **Confidentiality**

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

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers 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 employee or volunteer who allegedly experienced the workplace harassment and the alleged harasser if he or she is an employee or volunteer of GYC to determine if an alternate work situation needs to be put into place. This could include, but is not limited to, change in reporting structure, alternate work location or not serving specific customer/club/sponsor. It may be necessary for work separation of the two parties during the period of investigation. Neither the complainant nor the respondent shall suffer any penalty in his/her work during the period of separation.

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 an employee, supervisor, or other person associated with the workplace, there will be consequences for the individual. Examples of possible consequence could include, but are not limited to apologies, education, counseling, shift changes,

reprimands, suspension, job transfer, or termination depending on the nature or severity of the behavior and the circumstances.

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

GYC 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 worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
5. a copy of any corrective action taken to address the complaint or incident of workplace 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 workplace 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.

The Commodore will review the procedures and program for handling workplace harassment and workplace sexual harassment complaints annually and all staff and volunteers will be trained in the policy and program.

Approved by the Board of Directors

Date: 9 January 2023