

Club Workplace Safety, Violence and Harassment Policy

TO BE POSTED AT A CONSPICUOUS PLACE IN THE WORKPLACE OR
IN READILY ACCESSIBLE ELECTRONIC FORMAT

General

_____ (club name) (the “**Club**”) is vitally interested in the health and safety of our staff and volunteers. Protection of workers from injury, occupational disease, and workplace harassment and violence are major continuing objectives for the Club.

The Club will make every effort to provide a safe, healthy work environment. The Club and all of its employees and volunteers must be dedicated to reducing workplace harm.

The Club, as an employer, is ultimately responsible for worker health and safety. The Club Board gives its commitment to comply with its duties under the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1 (“**OHS**”).

Supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are subject to various duties in the workplace, including the duty to ensure that equipment is safe and that workers work in compliance with established safe work practices and procedures.

Every worker must protect their own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive information, training and competent supervision in their specific work tasks to protect their health and safety.

It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization, from the president to the workers.

Workers have a right to be free from harassment and violence from all sources, including, athletes, parents, officials, supervisors, employers and members of the public.

This policy applies to all Club employees and volunteers.

Workplace Harassment

OHS Definitions:

“workplace harassment” means,

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or
- b. workplace sexual harassment;

Note: A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

“workplace sexual harassment” means,

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, 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, or
- b. 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;

Workplace Violence

*OHS*A Definition:

Workplace violence as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. It also includes:

- attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and a
- statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

This may include:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening e-mails to a workplace;
- shaking a fist in a worker's face;
- wielding a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is standing on such as a ladder; or
- trying to run down a worker using a vehicle or equipment such as a forklift.

Workplace violence or harassment is not limited to that conducted by other employees.

Harassment or violence from other Club community members such as parents, coaches volunteers, and athletes may constitute workplace violence or harassment. In addition to making a report in relation to workplace safety, a complaint to Swim Ontario shall be made where the conduct may constitute a breach of the Swim Ontario [Code of Conduct](#) (**this will**

almost always be the case when the person engaged in violence harassment is a Swim Ontario Registrant or Parent/Guardian).

Reporting

Any workers who have experienced, or are aware of any workplace safety issues, violence or harassment are encouraged to report the concern to _____ [appropriate person such as supervisor, manager, or director] or to _____ [alternative person in case the appropriate person is the person against whom the complaint is made such as Board President, or Board Vice-President].

The Club will investigate and deal with any workplace safety, harassment or violence complaints in a fair and timely manner. Information about a complaint or incident will not be disclosed except to the extent necessary to protect workers, investigate the complaint/incident, or to take corrective action as otherwise required by law.

A worker will not be penalized for reporting an incident or participating in a workplace safety, violence, or harassment investigation. The Club is prohibited from penalizing a worker from exercising their rights under *OHSA*.

If the allegations in a Complaint under this policy are contrary to any Swim Ontario policies or Procedures, including the Swim Ontario [*Code of Conduct and Ethics for all Participants Including Parents/Guardians*](#), the Complaint should be directed to Swim Ontario pursuant to the Swim Ontario [*Complaint, Dispute Resolution, and Discipline Procedure*](#).

Implementation Program

The Club has developed, and will maintain, the following program to implement this Policy [Link to Program – See Below]

Review

This policy shall be reviewed as often as necessary, but at least annually.

Resources

The following resources are available for an employee to seek help to address workplace safety, violence, or harassment:

- Swim Ontario [*Code of Conduct and Ethics for all Participants Including Parents/Guardians*](#);
- Swim Ontario [*Complaint, Dispute Resolution, and Discipline Procedure*](#);
- The [*Human Rights Legal Support Centre*](#)

[NTD]

Insert Club Logo Here

Insert Club Name Here

Signed:

Date:

(President)

Club Workplace Safety, Violence and Harassment Program

Reporting and Handling of Complaint

Reporting of incidents of violence, harassment, safety concerns or potential risks can be made to an employee's supervisor. If an employee does not feel they are able to report to their supervisor they can report to **[Board President or other designate as applicable]**.

In an emergency, employees can contact emergency services by dialing 9-1-1 and providing **[Insert Club or Pool addresses as applicable]** as the location.

Upon receipt of a report, a supervisor must complete any an incident report, and any required reports to the MLITSD (critical injury or fatality) or WSIB reports, if applicable. If the incident included a **criminal act a report must also be made to the police.**

Procedure: Where Swim Ontario Code of Conduct Applicable (most cases)

The Club shall take the following steps when there has been an incident of workplace violence, harassment, or safety that has resulted in a complaint to Swim Ontario pursuant to the Swim Ontario, [Complaint, Dispute Resolution, and Discipline Procedure](#).

1. The Club will consult with those involved in the incident and take any interim measures necessary to ensure the safety its employees. **Including calling emergency services, where necessary.**
2. The Club will consult with Swim Ontario Dispute Resolution Officer and advise whether a workplace investigation is necessary under *OSHA*.
3. The Club and the Swim Ontario Dispute Resolution Officer will work together to determine the best procedure for an investigation and/or complaint process and whether one of the Club's investigation or the Swim Ontario Complaint process should be stayed, pending the determination of the other.
4. Where possible, the Club will ask Swim Ontario to use its discretion to share any investigation report prepared in relation to the incident with the Club.
5. The Club will consider any sanctions imposed by Swim Ontario on a Respondent to a complaint process as a part of the Club's own consideration as to whether it will take additional corrective action or disciplinary measures.

6. Following a final determination in a Swim Ontario complaints process, the Club may take further corrective or disciplinary measures concerning its employees as it deems necessary.
7. Following a final determination in a Swim Ontario complaints process, the Club will take any further measures that it deems necessary to ensure the safety of its employees.

Procedure: Where there is No Swim Ontario Code of Conduct Complaint

The Club shall take the following steps when there has been an incident of workplace violence, harassment, or safety that is NOT within the jurisdiction of a complaint to be made to Swim Ontario.

1. The Clubs will consult with those involved in the incident and take any interim measures necessary to ensure the safety its employees.
2. If the police or any other body with authority that supersedes that of the Club is involved, the Club will check with that body before commencing an investigation.
3. The Club will consult with Swim Ontario as to whether the Code of Conduct is applicable in these circumstances.
4. Where an investigation is required, the Club will appoint an Independent Person skilled in investigating and must have no conflict of interest regarding the complaint. The Club recognizes their obligation to conduct an investigation into matters or workplace violence or harassment
5. The Investigation will begin as soon as the investigator is available. The investigation report will be provided to the Club. The Club will determine whether the report or a summary thereof will be shared with the individual who made the report or others as they deem appropriate. Any information regarding the complaint will only be disclosed as required for the purposes of investigating the incident or complaint, or for taking corrective action, or is otherwise required by law.
6. Employees impacted by the results of the investigation will be advised as soon as possible of any corrective or disciplinary measures being taken. Any corrective measures which alter current practices will be communicated to all employees as soon as possible without disclosure of the report.

Prevention

All employees shall receive training on Workplace Health and Safety and Workplace Violence and Harassment as part of onboarding. This may include the [program](#) supplied by Ministry of Labour, Immigration, Training and Skills Development or another.

Employees will be advised of the risks and safety measures of working in swimming and pools contexts such as but not limited to:

- possible exposure to chemical agents such as pool treatment chemicals,
- risks of temperature exposure or sun exposure at outdoor pools or due to wet clothing,
- risk of slips and falls on pool decks,
- risks of electrocution in wet areas, and
- [Identify any specific risks in your workplace or location]