

RESPECTFUL WORKPLACE POLICY

1. POLICY STATEMENT

Triathlon Canada is committed to the prevention of Workplace Violence and Harassment¹, and strives to maintain a work environment where all employees, Participants, officials, and visitors are treated with respect and dignity, and are free from Harassment and bullying. Respect is present in a place where everyone displays courteous, considerate, and professional behaviour toward one another, and during their interactions with one another and members of the public.

Triathlon Canada does not tolerate, condone, or ignore any Workplace Violence, bullying or Harassment and will take whatever steps reasonable to protect our workers from same.

Triathlon Canada will ensure the provision of measures and procedures to protect workers from Workplace Violence and Harassment, a means of summoning immediate assistance, and a process for workers to report incidents or raise concerns.

In addition to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), as referenced herein, this policy will be read in accordance with any workplace health and safety and/or human rights legislation as may be applicable in the circumstances. For the purpose of applying this policy only, in the event that any definitions or provisions of the UCCMS, this policy or any other policies of Triathlon Canada conflict with the definitions or provisions of any relevant and applicable health and safety and/or human rights legislation, the relevant and applicable health and safety and/or human rights legislation (as applicable) will prevail.

2. SCOPE

This policy applies to all employees of Triathlon Canada and all activities that occur in the Triathlon Canada Workplace² or while engaging in Triathlon Canada business, activities, or social events.

3. DEFINITIONS

Harassment/Discrimination³: There are several forms of Harassment and Discrimination but all can be defined as any unwelcome action by any person, whether verbal or physical, on a single or repeated basis, which humiliates insults or degrades. “Unwelcome”, for the purposes of this policy, refers to any action which the harasser knows or ought to reasonably know is not desired by the victim of the Harassment. Specifically,

- a) Racial harassment is defined as any unwelcome comments, racist statements, slurs, jokes, graffiti or literature or pictures and posters which may intentionally or unintentionally offend another person,
- b) Sexual harassment is defined as any series of or serious comment(s) or conduct of a sexual nature that is unwelcome and that would be objectively perceived to be unwelcome, and which broadly includes jokes, remarks, or gestures of a sexual or degrading nature, or distributing, displaying, or promoting images or other material of a sexual or degrading nature, or any act targeting a person’s sexuality, gender identity or expression. It can also include stalking or harassment in person or by electronic means where the stalking or harassment is of a sexual nature.

¹ The term “Harassment” shall carry the meaning ascribed to it in the *Code of Conduct and Ethics*, as amended from time to time.

² “Workplace” shall be understood as any place where Triathlon Canada business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s) of Triathlon Canada, work-related social functions, work assignments outside the registered office(s), work-related travel, the training and competition environment, and work-related conferences or training sessions

³ The term “Discrimination” shall carry the meaning ascribed to it in the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), as amended from time to time by the Sport Dispute Resolution Centre of Canada. In the event of any conflict between the UCCMS and this Policy, the UCCMS shall prevail.

Examples of Workplace Bullying and Harassment include, but are not limited to:

- Repeated offensive or intimidating phone calls or emails;
- Inappropriate sexual touching, advances, suggestions or requests;
- Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
- Psychological abuse such as verbal aggression or insults, calling someone derogatory names, spreading malicious rumours;
- Vandalizing personal property;
- Intimidating words or conduct (offensive jokes or innuendos); or
- Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.

Excluded from this definition is any reasonable action taken by the employer or supervisor relating to the management and direction of workers or the place of employment. This includes but is not limited to measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions.

Workplace Violence: Workplace Violence can be defined as the use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker.

4. POLICIES AND APPLICATION

It is a violation of this policy to engage in conduct as set out above. Any person found to have engaged in acts of Workplace Violence, bullying or Harassment against any other employee, worker, contractor, subcontractor, principal, customer, supplier, client or other third party in the Workplace during business hours, or at any Triathlon Canada event or client event, may be subject to the disciplinary procedures and, if appropriate, sanctions provided for in the *Discipline and Complaints Policy*.

Triathlon Canada is committed to take appropriate action(s) whenever possible to eliminate or minimize the risk or threat of Workplace Violence and Harassment to all staff and visitors. This includes:

- a) Conducting risk assessments in consultation with Triathlon Canada staff in any Workplace in which a risk of injury to workers from violence, bullying or Harassment arising out of their employment may be present and communicating any measures and procedures that result from such assessments; and
- b) Ensuring that this policy is implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from Workplace Violence, bullying and Harassment in the Workplace.

Triathlon Canada and its staff are required to follow the measures and procedures which set out how to control the risk of Workplace Violence/Harassment, summon for immediate assistance, report and investigate incidents and the potential consequences of same.

Measures and Procedures for Summoning Immediate Assistance

- a) In the event of an immediate threat to physical safety to an employee or to someone else, seek a safe location and call 911 immediately. Once the call has been made, you must report to your

supervisor/manager or CEO immediately thereafter. The investigation of the incident will follow as soon as is practical after the appropriate emergency measures are taken.

- b) Additional measures may be added from time to time as a result of workplace risk assessments (4a). (i.e. equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, emergency numbers or email addresses, and emergency procedures such as designated safe location for emergency situations).

Measures and Procedures for Reporting Incidents of Workplace Violence and Harassment

- a) The reporting of incidents of Workplace Violence and Harassment shall be as described in the *Discipline and Complaints Policy*, as amended from time to time.

Measures and Procedures to Investigate and Deal with Incidents or Complaints

- a) Investigations in relation to incidents and complaints of Workplace Violence, bullying and Harassment shall take place as described in the *Discipline and Complaints Policy*, as amended from time to time.

Complaints Against Third Parties

- a) In the case of a report of a potential threat of violence, bullying or harassment by a third party, such as in the case of domestic violence, the identity of the third party and identifying features will be communicated to all employees, contractors, subcontractors, and others where it is reasonably necessary to protect a worker at risk of physical injury. While individual privacy will be respected to the extent possible, communication will be required as is necessary in order to address the threat.

5. ROLES AND RESPONSIBILITIES

Supervisors/Managers are responsible for ensuring that measures and procedures are followed by staff and that staff have the information they need to protect themselves. They are expected to:

- a) Provide advice to employees concerned about a threat of or actual violent or harassment situation;
- b) Promote, advance, support and ensure effective implementation of the policy;
- c) Provide orientation and training on this policy to all staff;
- d) Intervene immediately when threats or incidence of Workplace Violence or Harassment occur;
- e) Prevent and terminate Harassment, Workplace Violence or threats of Workplace Violence by:
 - i. not ignoring or condoning behaviour that is contrary to this policy,
 - ii. not engaging in behaviour contrary to this policy;
- f) Participate in an annual review of the Respectful Workplace Policy and recommend any changes to the CEO as applicable.

Triathlon Canada Employees are expected to:

- a) Not engage in any behaviours that may be considered threats or acts of Workplace Violence or Harassment of any kind;
- b) Report acts of Harassment, threats or actual incidents of Workplace Violence immediately;
- c) Inform their Supervisor/Manager if they are at risk for domestic violence and assist in the development of a safety plan.

Duty to Report

If, in good faith, any employee believes that they, or any other employee or worker, has engaged in, or has been subject to violence, bullying or harassment under this policy, including possible domestic violence, or they witness any kind of violence, bullying or harassment under this policy, they are required to report all of the facts of the incident.

No employee of Triathlon Canada will be penalized for reporting an incident or for participating in an investigation involving Workplace Violence, bullying or Harassment in good faith. It is a violation of this policy for anyone to knowingly make a false complaint of Workplace Violence, bullying or Harassment, or to provide false information about a complaint. Individuals who violate this policy may be subject to disciplinary action, up to and including termination of employment.

Right to Refuse Work Where Threat of Workplace Violence Exists

No employee should work in a situation in which he/she believes that Workplace Violence is likely to endanger him or herself. A worker has the right to refuse work where a threat to physical safety exists as a result of a Workplace Violence situation, as described under this policy. This right does not extend to the right to refuse work in the case of Workplace Harassment⁴ in which there is no threat to physical safety.

No Reprisals

Triathlon Canada will not in any way retaliate against an individual who makes a report of a violation of this Policy, nor tolerate any retaliation by any worker, supervisor, or executive member. Retaliation is a serious violation of this Policy and should be reported immediately. Any person found to have retaliated against another individual for reporting offending conduct may be subject to disciplinary action pursuant to the *Discipline and Complaints Policy*, up to and including termination of employment.

6. CONSPICUOUS POSTING

This policy must be posted at a conspicuous place on the Triathlon Canada website and at the Triathlon Canada head office and any other Triathlon Canada owned premises where employees are working on a regular basis.

7. ANNUAL REVIEW

Triathlon Canada shall conduct an annual review of this policy and add to or amend it as reasonably required from time to time based upon its experience and evolution of the law under the amendments to the relevant Acts.

⁴ “Workplace Harassment” shall be understood as a course of vexatious comment or conduct against a Participant in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for Workplace infractions. A worker’s right to engage in a work refusal shall in all cases be governed by applicable occupational health and safety legislation.