



# Alberta Soccer Association

Governing Body of Soccer in the Province of Alberta

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## ASA GOVERNANCE POLICY ON HARASSMENT

### Policy

The ASA does not tolerate or condone any degree of harassment by anyone associated with the ASA. It is the responsibility of all staff, board members, coaches, referees, parents and volunteers to promote a harassment free sport environment.

The ASA believes in the prevention of harassment and promotes a harassment-free soccer environment in which all people respect one another and work towards a common goal.

The ASA is committed to investigating reported incidents of harassment in a prompt, objective, and sensitive manner taking necessary corrective action and providing appropriate support for victims. No individual shall be penalized in any way for making a complaint or giving evidence in a harassment investigation.

Every member of the ASA, including Affiliated Members, Game Officials and Team Officials have a responsibility to play a part in ensuring that the ASA sport environment is free from harassment.

### Authority

The ASA Harassment Officer(s) and the ASA Executive Director

1. The ASA will not start or will adjourn it's process should evidence be presented that a higher authority has been asked to review the case;
  - a. Higher Authorities include but are not restricted too;
    - i. Police, RCMP and/or the Alberta Human Rights Commission
2. The ASA will advise the Complainant of their right to refer any case to a higher authority should the ASA feel that a higher level of expertise is needed given the nature of the Complaint;
  - a. Examples of these cases include, but are not restricted to;
    - i. any complaint sexual in nature
    - ii. any type of physical abuse

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## Harassment Defined

Harassment can take many forms but generally involves conduct, comment or display that is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading or otherwise cause offence, discomfort or personal humiliation or embarrassment to a person or group of persons;

The test to determine whether harassment has occurred is two-fold;

1. Whether a reasonable person knew or ought to have known that behavior would be considered un-welcome or offensive by the recipient
2. The recipient found the behavior offensive

## Harassment Officers

The ASA shall appoint a minimum of two harassment officers who will work with the ASA Executive Director on the implementation of the ASA harassment policy.

## Confidentiality

The ASA recognizes the sensitive and serious nature of harassment and will strive to keep all matters relating to a complaint confidential.

### A. Complaint Procedure

If an individual(s) believes they are being harassed, they should;

1. Immediately make the individual(s) aware that the behaviour is unwelcomed and ask him/her to stop.
2. Report the incident to the ASA Executive Director in writing;
  - a. a parent, Team Official, Game Official and/or Affiliated Member can be informed and refer the incident(s) to the ASA.
  - b. If the incident(s) involves the ASA Executive Director the recipient(s) should report the incident(s) to the ASA President.
3. The Complainant should keep a record of the incidents in question, which may include;
  - a. Name(s) of the individual(s) in question
  - b. The date, place, and time the incident(s) occurred
  - c. Name(s) of any witnesses
  - d. The event(s) that led up to the incident(s) in question

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- e. Any particular reason why the event(s) occurred
  - f. The actual incident that led to a complaint

## **B. Initial Complaint Investigation**

1. The ASA Executive Director will be responsible for the first stage of investigation;
  - a. The ASA Executive Director will conduct an interview with The Complainant and review all of the evidence submitted.
  - b. If the ASA Executive Director determines there is no evidence of harassment the ASA Executive Director will explain the decision to the Complainant with a summary document of all evidence collected;
    - i. If the Complainant agrees with the decision, the summary document will be kept on file at the ASA office for 12 years.
    - ii. If The Complainant disagrees, with the decision of the ASA Executive Director, the Complainant can request that the Complaint be filed under the Formal Investigation Process outlined in Section C.
  - c. If the ASA Executive Director chooses to proceed beyond the initial interview and review of the Complainant submission he/she will;
    - i. Interview and receive evidence from the Respondent in the case;
    - ii. Interview and received evidence from any individuals who may be able to provide additional and relevant information.
2. If the ASA Executive Director determines following the review of all relevant interviews and documents that there is no evidence of harassment the ASA Executive Director will explain the decision to the Complainant and the Respondent through a summary document of all the evidence collected;
  - a. If the Complainant agrees, with the decision the summary document will be kept on file at the ASA office for 12 years.
  - b. If the Complainant disagrees, with the decision of the ASA Executive Director, the Complainant can request that the Complaint be filed under the Formal Investigation Process outlined below in Section C.
3. If the ASA Executive Director determines following the review of all relevant interviews and document that there is sufficient evidence of harassment the ASA Executive Director will allow the Complainant to choose one of the following options (a, b, and/or c);
  - a. The Complainant does not choose to pursue an informal complaint or formal complaint.
    - i. The summary report will be filed at the ASA office for 12 years.

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- b. The Complainant wishes to pursue an informal resolution through a mediation process run by the ASA Executive Director or another independent party;
    - i. The independent party may be one of the ASA Harassment Officers or another party agreed upon by the Complainant and the Respondent;
    - ii. If the Complainant and the Respondent agree with the decision in the summary document, the mediated resolution will be kept on file at the ASA office for 12 years.
    - iii. If the informal resolution reached by the assigned mediator is not satisfactory to either party, then the Complainant or the Respondent has the option to file the complaint under the Formal Complaint Investigation process outlined in Section C.
  - c. The Complainant wishes to pursue the Formal Complaint Investigation process outlined in section C.

### **C. Formal Complaint Investigation**

1. The ASA Executive Director will refer the case to one of the assigned ASA Harassment Officers or another qualified individual;
  - a. If an ASA Harassment Officer has been assigned to mediate under 3.b.i of the Initial Complaint Investigation they will not be considered for the Formal Complaint Investigation
2. The ASA Executive Director will provide copies of all evidence to the following individuals;
  - a. the Complainant
  - b. the Respondent
  - c. the Harassment Officer
3. The Complainant and the Respondent will be provided 10 working days to provide further evidence to the Harassment Officer.
4. The Harassment Officer will have 15 working days to complete their investigation and provide a summary report with recommendations for resolution. The report will include;
  - a. a summary of all relevant facts;
  - b. a timeline for the complaint including the submission to the ASA;
  - c. a finding as to whether the behaviour constituted harassment or not;
  - d. recommended penalties if the behaviour constituted harassment;
    - i. the penalties could include but are not exclusive to;

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1. a verbal apology
  2. a written apology
  3. a letter of reprimand from the ASA
  4. a fine or bond against the Respondent
  5. removal of certain membership privileges;
  6. expulsion from membership
- e. Copies of the summary report will be provided to the Complainant, the Respondent and the ASA Executive Director
- i. If the Complainant and the Respondent agree with the decision in the summary document, mediated resolution will be kept on file at the ASA office for 12 years.
  - ii. If the resolution reached by Formal Investigation Process is not satisfactory to either party then the Complainant or the Respondent has the option to appeal the decision to the Appeal Review Panel process outlined in Section D.

#### **D. Appeal Review Panel Process**

1. If the Formal Complaint Investigation result is appealed all relevant documentation regarding the complaint will be sent to the Appeal Review Panel;
2. The Appeal Review Panel will consist of three independent panel members, one of whom will act as chair;
  - a. The Complainant and the Respondent will be provided the names of the Appeal Review Panel at least three (3) days in advance.
3. The Complainant and the Respondent will be given two options to proceed with the Appeal Review Panel and both parties must agree on the course;
  - a. Appeal Review Panel reviews all relevant information and recommends a resolution;
    - i. If both parties do not agree on the review of information option then option 3.b (below), convene a hearing, will be selected.
  - b. Convene a hearing
4. Hearing Procedure
  - a. The Complainant and the Respondent shall be given 15 working days' notice of the hearing date and location;

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- b. The hearing shall proceed within 30 working days of the Appeal Review Panel being convened
    - i. The Complainant and the Respondent must agree if the hearing is to be delayed beyond 30 working days.
  - c. Both parties will be invited to the hearing;
    - i. If the Complainant does not appear at the hearing, the Complaint will be dismissed.
    - ii. If the Respondent does not appear at the hearing, the hearing will proceed.
  - d. Any travel costs associated with attending the hearing will be covered by the ASA;
    - i. This is limited to mileage and accommodations, if necessary.
  - e. The hearing will be conducted in camera;
  - f. Within 15 working days of the hearing the Appeal Review Panel must provide a summary report with a resolution. The report will include;
    - i. a summary of all relevant facts;
    - ii. a timeline for the complaint including the submission to the ASA;
    - iii. a finding as to whether the behaviour constituted harassment or not;
    - iv. recommended penalties if the behaviour constituted harassment,
      - 1. penalties could include but are not exclusive to;
        - a. a verbal apology
        - b. a written apology
        - c. a letter of reprimand from the ASA
        - d. a fine or bond against the Respondent
        - e. removal of certain membership privileges;
        - f. expulsion from membership
  - v. Copies of the summary report will be provided to the Complainant, the Respondent and the ASA Executive Director
    - 1. If the Complainant and the Respondent agree with the decision the summary document, mediated resolution will be kept on file at the ASA office for 12 years.

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2. The Appeal Review Panel decision will be the final stage of the ASA Harassment Policy Process. All appeals beyond this level should be filed with the Canadian Soccer Association.