



EDMONTON ROWING CLUB

Prevention of Abuse, Bullying, and Harassment

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Appendix(-ces) to this policy	Appendix A – Harassment Report Form

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Purpose

- The purpose of this policy is
 - to provide everyone in the ERC community with a mechanism for dealing with behaviour and actions that may be offensive, harassing or intimidating, and to ensure, as much as practical, that such behaviour does not occur at any ERC Activity or any other activity or undertaking which can be reasonably related to ERC Operations;
 - To inform members that they are specifically responsible for the actions of their guests;
 - To alert all ERC staff and ERC members to the fact that harassment, discrimination, bullying and abuse are offences under the law.
 - To describe the types of behaviour that shall be considered contrary to this Policy.
- This Policy and associated procedures define prohibited behaviour(s) that constitute Abuse, Bullying and Harassment (A.B.H.); explain procedures for individuals to report incidents of A.B.H.; and outline procedures that ERC will follow in responding to reports of A.B.H. that fall within its jurisdiction to administer.
- In addition, this Policy describes the procedures for individuals to follow if they observe other individuals being subject to A.B.H. behaviours.

Application

- This Policy and associated procedures apply to all individuals who are part of the ERC community including but not limited to ERC members, staff, program participants, coaches, officials, umpires, athletes, regatta organizers, administrators, volunteers and contractors of ERC.
- This Policy applies to the conduct of those individuals at any activities, programs and events that are under the direct control of ERC.
- The complaint process identified in this Policy is available to all members of the ERC community. In circumstances where a complaint is made against an individual who is not on ERC staff or a member of ERC the process in this Policy will be applied to the extent possible and the complaint will be addressed in accordance with the spirit of this policy.

Policy Statement

7. ERC has adopted this Prevention of Abuse, Bullying and Harassment Policy and Procedure (Policy) to make it clear that the Club will not tolerate A.B.H. behaviours by an individual that are directed at and offensive to another individual (prohibited behaviours).
8. ERC is committed to educating its staff and to providing information to all of its members and staff regarding this policy.
9. For the purposes of this policy, sport and/or workplace A.B.H. can occur in the following places:
 - during day-to-day club programs both on and off the water, lessons, in the waiting areas and parking lots of the Club, at sporting events, competitions, and in training sessions;
 - at the boathouse and indoor training facility;
 - at sport related social functions;
 - at the business functions of ERC such as meetings, conferences, training sessions and workshops;
 - during sport related travel; and
 - through any form of communication device/system including but not limited to telephone, email, fax, websites, and postal service.
10. Individuals found to have engaged in conduct that violates this Policy may be disciplined in accordance with the ERC Discipline Policy.
11. When ERC receives a report of A.B.H. that involves harm or risk of harm to a minor child or children, ERC shall advise the individual making the report to contact the appropriate Police and/or Child Protection Agency. (**Child Abuse Hotline: 1-800-387-5437** (KIDS); Edmonton Police Children’s Services Crisis Unit at [780-422-2001](tel:780-422-2001)) Additional resources (listening and referral services) are available to individuals through the Canadian Sport Helpline (<http://abuse-free-sport.ca/en/> and <http://sport-sans-abus.ca/fr/> or Toll-free at 1-888-837-7678).
12. Every person who experiences prohibited behaviours continues to have the right to seek assistance from the police, their provincial child protection authority, civil courts, and their provincial human rights bodies, even when steps are being taken under this policy.

Definitions

13. **“Abuse”** is defined as any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust.

Abuse is an issue of child protection. Protection refers to provincial, territorial or First Nation-band appointed child protective services. A child may be in need of protection from harm if abuse or neglect is suspected.

Emotional Abuse

Emotional abuse may include a chronic attack on a child’s self-esteem. It is psychologically destructive behavior by a person in a position of power, authority or trust. It can take the form

of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child's needs.

Physical Abuse

Physical abuse occurs when a person in a position of power or trust purposefully injures or threatens to injure a child. This may include but is not limited to slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.

Neglect

Neglect is the chronic inattention to the basic necessities of life for a child such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. Some examples of neglect occurring in a sport environment are:

- Inadequate shelter/unsafe environments such as: Lack of maintaining equipment or facility.
- Forcing athletes to participate without proper protective equipment.
- Inadequate clothing such as: Preventing athletes from dressing adequately for weather conditions or making them stay in wet clothes as punishment following training or a competition.
- Inadequate supervision such as: Leaving young athletes unsupervised in a facility or on a team trip.
- Lack of medical/dental care such as: Ignoring or minimizing injuries; ignoring medical advice; not seeking medical or dental attention when warranted.
- Inadequate education such as: Encouraging athletes to not do homework, to not attend school, or to drop out.
- Inadequate rest such as: Overdoing or increasing workouts as punishment; prohibiting adequate sleeping or resting time.
- Inadequate moral guidance and discipline such as: Not providing adequate supervision during team functions; hiring strippers or prostitutes; offering pornography to young athletes.

Sexual Abuse

Sexual abuse may include a child being used by an individual with more power for their own sexual stimulation or gratification. There are two categories of sexual abuse: contact and non-contact.

14. "**Activity**", depending on the context, means:

- any ERC organized event including, but not limited to, day trips, general and special socials, charter trips, training, general membership meetings or any other activity or undertaking;

- a rowing activity using either a private boat or an ERC boat or other ERC equipment which can be reasonably related to a relationship established between or among members of the ERC community.

15. **“Bullying”** is defined as conduct occurring between individuals that is hurtful interpersonal mistreatment of a person and is an act of hurting someone in order to insult, humiliate, degrade or exclude them. Bullying occurs between individuals of any age. For this reason, it is differentiated from harassment. It is “mean” behavior. Bullying may also take the form of cyber bullying which involves bullying over the internet.

Bullying can be:

- Hurting behaviour based on oppression and “meanness”
- Based on power differences
- Intentional or non-intentional, but can be interpreted to be intentional
- Intense and repeated over time (generally, but not necessarily)
- Oppressive, leading to isolation of victims.

Hurtful actions may be, but are not limited to:

- Physical: hitting, kicking, grabbing, shoving, spitting on, beating up others, damaging or stealing another person’s property
- Verbal: name-calling, humiliating, degrading behavior, hurtful teasing, threatening someone (this may happen in notes or in person, over the phone, through text messages or the internet)
- Relational: making others look foolish, excluding peers, spreading gossip or rumours (this may happen in person, over the phone, through text messages or the internet)
- Reactive: engaging in bullying as well as provoking bullies to attack by taunting them (this may happen in person, over the phone, through text messages or the internet)
- Cyber: occurring over the internet, including through social media.

16. **“Child”** is defined as a person under the age of 18.

17. **“Club”** means the Edmonton Rowing Club (ERC).

18. **“Complainant”** means any individual member of the ERC community making a formal Complaint of A.B.H.

19. **“Complaint”** means a complaint filed, in writing, by a Complainant.

20. **“Confidential”** means the requirement for ERC to handle A.B.H. complaints in a manner to protect, insofar as is possible, the confidentiality of those involved.

21. **“Discrimination”** means a differentiation or distinction in the manner of treatment of an individual by a person, whether intentional or unintentional, and based on the enumerated grounds found in the *Alberta Human Rights Act*: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age and criminal or summary conviction offences where unrelated to the employment or intended employment of that individual.

22. **“ERC Operations”** means any activities, programs, and events that are under the direct control of ERC.
23. **“Guest”** means any person participating in an Activity who is not a Member, but who was invited to participate in the Activity at the request of a Member.
24. **“Harassment”** is defined as a course of comment or conduct that is known or ought reasonably to be known to be vexatious and unwelcome, or Sexual Harassment. Harassment occurs between adults, defined as individuals over the age of 18. While it is usually based on a course or pattern of behaviour, a single incident can be serious enough to constitute harassment.

Harassment is a form of discrimination; the *Alberta Human Rights Act* states that prohibited grounds of discrimination are those that are based on race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age and criminal or summary conviction offences where unrelated to the employment or intended employment of that individual. Harassment, discrimination, bullying and abuse (referred to below as “prohibited behaviours”) are offensive, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada’s Criminal Code.

Types of behavior which constitute harassment include, but are not limited to:

- Unwelcome jokes, innuendo or teasing about a person’s body or appearance
 - Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance
 - Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
 - Unwanted or unnecessary physical contact including touching, patting or pinching
 - Any form of hazing
 - Any form of physical assault or abuse
 - Any sexual offence
 - Behaviours such as those described above which are not directed towards individuals or groups, but which have the effect of creating a negative or hostile environment
 - Unwelcomed behaviour of one individual towards another which the individual ought to have known would be unwanted.
 - Racial harassment can take the form of unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship, culture or ancestry.
25. **“Harm”** is defined as ‘any detrimental effect of a significant nature on a child’s physical, psychological or emotional well-being.’ Harm, in children, may be caused by physical or emotional abuse, neglect, and/or sexual abuse or exploitation or bullying. Harm in adults may be caused by harassment or bullying.
 26. **“Independent Third Party” (ITP)** is defined as an external party who has demonstrated competence in conducting neutral, independent investigations into reports of abuse, harassment

and bullying. An ITP is engaged when a complaint is made through RCA. The ITP will not be an employee or member of the Board of Directors of Canada Rowing Association or ERC. The selection of an ITP will be made for a maximum of a one-year term and the candidacy of the ITP will be reviewed and approved by the RCA Board of Directors on an annual basis.

27. **“Member(s)”** means any current ERC Member as defined in ERC’s Code of Conduct.
28. **“Misconduct”** is defined as behaviour or a pattern of behaviour that is found by a formal (for example an independent investigation) or informal process (for example an internal fact-finding review or investigation) to be contrary to the ERC Code of Conduct and that is not abuse, harassment, or bullying. A finding of Misconduct may constitute a minor or major infraction as defined by the ERC Discipline Policy.
29. **“Neglect”** (see Abuse)
30. **“Physical Abuse”** (see Abuse)
31. **“Prohibited Behaviour”** means improper conduct by an individual that is directed at and offensive to another individual in any premises associated with ERC operations, including at any event or program, and that the individual knew or ought to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the *Alberta Human Rights Act* (i.e. race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age and criminal or summary conviction offences where unrelated to the employment or intended employment of that individual). Abuse, Bullying, Harassment, Sexual Harassment, Discrimination and Misconduct are examples of Prohibited Behaviours.

The Prohibited Behaviour does not have to be made with the intent to harass to be in violation of this Policy. Prohibited Behaviours include those actions taken by an individual to interfere with the resolution of a harassment complaint; retaliation against an individual for filing a harassment complaint; or filing an unfounded harassment complaint intended to cause harm

32. **“Respondent”** means the party accused of Harassment by the Complainant and as set out in the Complaint.
33. **“Retaliation”** or **“Reprisal”** means any improper treatment against a Member or Members for having filed a complaint under this Policy, having participated in any procedure under this Policy or for having associated with a Member who properly invoked this Policy or participated in any procedure under this Policy.
34. **“Sexual Abuse”** (see Abuse)
35. **“Sexual harassment”** is defined as deliberate or repeated, unsolicited sexually- oriented comments, anecdotes, gestures or conduct that i) are offensive and unwelcome, or ii) create an offensive, hostile or intimidating environment, or iii) can reasonably be expected to be harmful to participants in the sport environment.

Further, for the purposes of this Policy, sexual harassment is the use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity. Such abuses of power

and authority include, but are not limited to, explicit or implicit threats of reprisals for non-compliance or promises of reward for compliance.

Examples of types of behaviour which could constitute Sexual Harassment include, but are not limited to, the use of promises or threats contingent on the performance of sexual favours, the display of sexually offensive material, leering or other suggestive or obscene gestures, unwanted physical contact or sexual attention and unwelcome sexual flirtations, remarks, comments, inquiries, advances, requests or invitations whether indirect or explicit.

Sexual Harassment is not limited to sexual remarks or conduct. The ERC considers sexist and sexually degrading terms, remarks and comments to constitute Sexual Harassment and will address such incidents in accordance with the procedures set out in this Policy.

Sexual harassment may occur in the form of conduct by males towards females, between males, between females, or by females towards males.

Responsibilities

Body	Action
Vice President/Safety Director	<ol style="list-style-type: none"> 1. Ensure that all revisions to the Human Rights Legislation policy, definitions, penalties and procedures on harassment are reflected in the Prevention of Abuse, Bullying and Harassment Policy and Procedure 2. Make sure every employee understands the policy and procedures for dealing with Prohibited Behaviours. 3. Inform athletes, coaches, administrators, officials, volunteers and staff of their responsibility to provide a harassment-free sporting and work environment. 4. Inform any person under the direction of ERC of the Club's Prevention of Abuse, Bullying and Harassment Policy and Procedure. 5. Provide clarification of what constitutes Abuse, Bullying, Harassment, Discrimination and Misconduct. 6. Inform persons under ERC's direction of the procedures for handling harassment complaints.
Board	<ol style="list-style-type: none"> 1. Play a positive role in raising the awareness and understanding of harassment among members and staff and make it clear that harassment will not be tolerated. 2. When required, establish a Disciplinary Committee of the Board with

	<p>the mandate to investigate formal complaints of A.B.H., Discrimination, or Misconduct and prepare a report of the findings of the investigation. The report should also include a recommendation as to the disciplinary action as appropriate for the complaint.</p> <p>3. Decide the appropriate disciplinary action against an athlete, coach, administrator, volunteer or employee found to have abused, bullied, harassed, or discriminated against someone, based on a report from the Disciplinary Committee.</p>
<p>PRESIDENT</p>	<p>Action if a Written Complaint was not Made</p> <ol style="list-style-type: none"> 1. Make a determination of ERC’s jurisdiction over the reported behaviour. 2. Make a determination if the complaint can be resolved informally. 3. Investigate to determine whether Prohibited Behaviours of concern are occurring. 4. Facilitate informal resolution if appropriate. If informal resolution is successful close the file and report the outcome to the board. 5. Prepare and deliver a review of the Prevention of Abuse, Harassment and Bullying Policy and Procedure to the appropriate ERC community. <p>Action if a Written Complaint was Made</p> <ol style="list-style-type: none"> 1. Intake of the complaint forms. 2. Make a determination of ERC’s jurisdiction over the complaint. 3. Report the written complaint to the Board and request that a Disciplinary Committee be established with the mandate to investigate and resolve the formal complaint.
<p>Disciplinary Committee</p>	<ol style="list-style-type: none"> 1. Investigate and correct A.B.H. complaints as soon as instructed by the Board. 2. Upon receipt of a formal complaint, inform the respondent and the complainant in writing as to what action or investigation is to take place and inform the alleged harasser and the complainant of the

	<p>outcome of any action or investigation in writing.</p> <p>3. Report findings to the Board.</p> <p>4. Recommend appropriate disciplinary action against an individual found to have engaged in prohibited behaviour.</p>
Respondent	<p>1. Keep a record of your version of the alleged incident.</p> <p>2. Discuss matter with the Safety Director or other member of the Board.</p> <p>3. Cooperate with the individual(s) investigating the complaint.</p>
Complainant	<p>1. In the case of a formal complaint, prepare a complaint form containing an account of the incident(s).</p> <p>2. Cooperate with the individual(s) investigating the complaint.</p>

36. The ultimate responsibility for dealing with complaints rests with the ERC Board of Directors. Since A.B.H. may constitute a highly sensitive subject matter, individuals may report alleged A.B.H. to any member of the Board.

References

37. ERC Code of Conduct
38. [RCA Safe Sport](#)

Questions

39. Questions about this policy and procedure can be directed to the [President](#) or [Vice-President](#) of the ERC.

Procedures

Places to Report A.B.H. Involving Children

40. When any person in authority, including but not limited to a parent, coach, club manager, or ERC Board member, has a reasonable belief that the possibility exists that a Child is being harassed, bullied, abused or neglected by an ERC member, ERC staff or participant, that person shall report to the local child protection authorities, local police or RCMP and shall advise the ERC of having made this report. If a report of A.B.H. involving a Child is first made to ERC, ERC shall direct the person reporting to make the report to the local child protection authorities, or police (**Child**

Abuse Hotline: [1-800-387-5437](tel:1-800-387-5437) (KIDS); Edmonton Police Children's Services Crisis Unit at 780-422-2001)

41. If a Child seeks to report A.B.H. affecting themselves or another Child, ERC encourages that Child to report the incident to a trusted person in authority, The Kids Help Phone (<https://kidshelpphone.ca/>, <https://jeunessejecoute.ca/>, 1-800-668-6868), the local child protection authorities, RCMP, or police at 9-1-1.

Anonymous Reporting

42. An individual seeking to make an anonymous report may contact the Canadian Sport Helpline (<http://abuse-free-sport.ca/en/> and <http://sport-sans-abus.ca/fr/> Toll-free at 1-888-837-7678). Anonymous reports made to RCA will be referred to the ITP who will determine next steps for processing the report.
43. Any member who feels that he/she has experienced A.B.H. at the ERC may take the following steps, including the filing of a formal complaint under this policy, without fear of retribution or reprisal.

Step 1: Self-Help

44. An individual who is not a Child who experiences A.B.H. by an ERC member, ERC staff or participant of ERC, or any person who witnesses A.B.H., or any person who believes that A.B.H. has occurred is encouraged to make it known to the harasser or bully that the behaviour is unwelcome, offensive and contrary to the values of ERC and the Prevention of Abuse, Bullying and Harassment Policy and Procedure.
45. While there is no obligation to do so, individuals who believe they have been subjected to prohibited behaviours are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. If you feel confident and comfortable in doing so, communicate disapproval in clear terms to the person(s) whose conduct or comments are offensive. Keep a written record of the date, time, details of the conduct, and witnesses, if any. Although this may be difficult to do, telling the person that you do not like their actions is often enough to stop the behaviour. Remind the person that the conduct is against the ERC's Prevention of Abuse, Bullying and Harassment Policy and Procedure, and the Alberta *Human Rights Act*.
46. If you are not confident or comfortable with Step 1, have tried Step 1 with unsatisfactory results, or if you become aware of situations where harassing or discriminatory conduct may be occurring with respect to other individuals, you are encouraged to report these matters to the Safety Director or another member of the Board with whom you feel comfortable discussing the matter. The Safety Director or other member of the Board will attempt to reach an informal resolution of the matter when appropriate and you have not filed a formal written complaint.

Step 2 – Board Support and Intervention

47. If allegations of A.B.H. are made against you, keep a record of your version of the alleged incident(s). If you believe the complaint is unfounded or made in bad faith, discuss the matter with a member of the Board.
48. Once contacted by the complainant, the role of the Board member is to serve in a neutral, unbiased capacity in receiving complaints and facilitating their informal resolution. If the Board member believes that he or she is unable to act in this capacity, he or she shall refer to the complainant to another member of the Board.
49. Any request for support and intervention made to a member of the Board will be handled confidentially.

Step 3: Where to Report an Incident Involving an ERC Member or Participant

50. If an individual is not comfortable to confront a harasser or bully or has confronted a harasser or bully and the behaviour did not stop, the individual may
 - a. report the A.B.H. to ERC, or
 - b. report the A.B.H. to Rowing Canada Aviron (RCA).
51. If the individual decides to report A.B.H. to RCA, that individual must do so by completing a Report Form, available from the RCA website at <https://rowingcanada.org/uploads/2019/07/RCA-Prevention-of-Abuse-Harassment-and-Bullying-Policy-Final-Approved.pdf>.
52. If the individual decides to make a formal report of A.B.H. to ERC, that individual must do so by completing the Report Form available in this policy as Appendix A – ABUSE, BULLYING, HARASSMENT AND MISCONDUCT REPORT FORM.

Step 4: Intake Process

53. Formal reports of Abuse or Harassment against the President of ERC must be submitted to the Vice President of the Board of Directors for ERC. All other formal reports of A.B.H. must be submitted to the President of ERC. The Vice-President or President, as relevant, will determine next steps for processing the report.
54. Where the President or Vice-President determines that a report of A.B.H. does not fall within the jurisdiction of ERC, the President will provide the ERC Board with a written decision on jurisdiction with reasons. The ERC Board will forward the written decision to the individual who filed the report of A.B.H. and to the responding party(-ies), collectively, 'the parties'.

Step 5: Investigation by the Disciplinary Committee of the ERC Board

55. Where the President determines that a report of A.B.H. falls within the jurisdiction of ERC, the President will request the ERC Board to establish a Disciplinary Committee to contact the parties to initiate the investigation process.

56. The Committee will be made up of three (3) Members and shall consist of at least one (1) woman and at least one (1) man and shall include at least one (1) individual who is knowledgeable and familiar with A.B.H. issues. If there is no member who is knowledgeable about these issues, the Board may appoint as the third committee member a non-member with the necessary expertise. One (1) member of the Committee will be appointed as Chairperson. Decisions of the Committee shall be by majority vote. If a majority decision is not possible, the vote of the Chairperson shall be the decision of the Committee.
57. The Discipline Committee will review the written complaint and determine whether there is sufficient evidence to indicate that a breach of this policy has occurred, in which case a formal investigation of the complaint will be initiated.
58. The Committee shall conduct its investigation in a timely and confidential manner.
59. The Committee will take the following steps in conducting its investigation:
 - Inform the respondent of the complaint and provide with a written copy
 - Inform the respondent that he or she has ten (10) days to respond in writing, if he or she wishes to do so. If the committee deems the matter to be urgent, this time period may be shortened.
 - Upon reviewing the written complaint and the reply, if provided, the Committee will conduct confidential interviews with all the parties involved and any witnesses to the alleged A.B.H..
 - As soon as possible but in any event within 30 days of completing the investigation, the Committee shall prepare a confidential written report of its findings and decisions.
60. The report shall contain:
 - A summary of all the relevant facts
 - A determination as to whether, taken as a whole, the evidence supports the allegations in the complaint, and whether, as a result, it discloses a breach of the Club's Prevention of Abuse, Bullying and Harassment Policy and Procedure.
 - If the acts constitute A.B.H., a direction for disciplinary action against the respondent and recommendation of measures to remedy or mitigate the harm or loss suffered by the complainant.
 - If the Committee determines that the allegations of A.B.H. are vexatious, retaliatory or frivolous, a direction for disciplinary action against the complainant.
 - The names of any third-party witnesses shall not appear in the report and shall be kept in confidence by the Committee.

Step 6: Disciplinary Committee Report to ERC Board

61. The Disciplinary Committee will provide its written report to the ERC Board with findings of fact and a determination of whether the alleged behaviour described in the report amounted to A.B.H., Discrimination or Misconduct, along with any recommendations for disciplinary action.
62. The Disciplinary Committee will prepare summary reports for distribution to the parties. The summary reports will provide limited information to protect confidentiality of the investigation

process and the identity of witnesses. These reports will be distributed only after the ERC Board has reviewed and accepted the Committee's report.

Step 7: ERC Discipline Process

63. If the Disciplinary Committee's investigation validates the report of A.B.H. or Misconduct; or finds that a report of A.B.H. was made in a frivolous, vexatious or bad-faith manner; the ERC Board shall dispense discipline following the procedures for minor and major infractions identified in the ERC Discipline Policy.
64. A finding by the Disciplinary Committee that a report of A.B.H. or Misconduct was filed in a frivolous, vexatious or bad-faith manner will constitute a major infraction under the ERC Discipline Policy.
65. There is no appeal of the Disciplinary Committee's findings.

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