

COATV Bylaws Amendment 2

Workplace Violence, Harassment, and Sexual Harassment Policy – Ontario

Policy # C03-24

Approval Date: September 15th, 2024

Year of Next Review: 2027

Note: This document complies with the Occupational Health and Safety Act, including changes made by Bills 168 and 132.

Intent

Central Ontario ATV Club (COATV) is committed to building and preserving a safe, productive, and healthy working environment for its employees, free from violence and harassment. The organization will take all reasonable measures to ensure job candidates, employees, managers, volunteers and clients are not subject to any form of violence or harassment. This commitment applies to all areas of business, including training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

Acts of violence or harassment against or by any employee will not be condoned or tolerated by the organization. This policy outlines the COATV violence and harassment program, including how incidents of violence and harassment will be handled and investigated.

Definitions

Employee: For the purposes of this policy, an employee is either an individual who is financially compensated for a specific role or position within the COATV OR an individual who is volunteering their time without compensation to the COATV.

Complainant: A person who has made a complaint about another individual who they believe committed an act of violence or harassment against them.

Respondent: A person another individual accused of committing violence or harassment.

Workplace harassment: 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.

Workplace sexual harassment: 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, or 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: The exercise 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 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.

Guidelines

This policy has been developed in consultation with staff and the health and safety representative. It will be reviewed annually, or more frequently, if necessary, to ensure that it accurately represents the COATV prevention program.

COATV will provide all employees with appropriate training and information regarding the company's violence and harassment prevention practices and procedures. Employees are responsible for adhering to this policy and should report every incident of violence or harassment immediately to management. This includes any incidents witnessed, experienced by, or reported to an employee.

For the purposes of this policy, workplace harassment or violence can occur:

- At the workplace;
- At employment-related social functions;
- In the course of work assignments outside the workplace;
- During work-related travel;
- Over the telephone, if the conversation is work-related; or
- Elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

Reasonable day-to-day actions by a manager that help manage, guide, or direct workers or the workplace and appropriate employee performance reviews, counselling, or discipline by a manager do not constitute harassment.

Violence Risk Assessment

COATV will conduct a risk assessment of the work environment to identify potential risks that could affect the organization and the health and safety of employees and will institute measures to eliminate or control any identified risks to employee safety.

The following factors will be considered during the assessment:

- Past incidents of violence;
- The interactions that occur in the course of performing work; and
- The physical location and layout of the workplace.

The risk assessment may include reviews of records, security reports, employee incident reports, health and safety inspection reports, first aid records, or other related records. Areas that will be considered and may contribute to risk of violence include contact with the public, exchange of money, and working alone or

at night.

The Executive Director will provide the Executive Committee with a written copy of the assessment and advise on the results.

The company will disclose information to workers who are likely to encounter a known person with a history of violence in the performance of their job duties, or if there is a potential risk of workplace violence as a result of interactions with the person with a history of violence. However, the company will only disclose personal information deemed necessary to protect the worker from physical harm.

Workplace Violence and Harassment Program

Reporting Incidents of Workplace Violence and Harassment

An employee who believes they have been subject to violence or harassment should submit a complaint to their immediate Supervisor. The complaint should be made as soon as possible following the incident and must include the following information:

- The date and time of the incident;
- The name of any persons involved in the incident;
- The name of any persons who witnessed the incident; and
- A thorough description of what occurred.

An employee who believes they have been subject to harassment may also choose to confront the harasser without filing a formal complaint. They can confront the harasser directly or through writing, detailing the unwelcome behaviour and requesting it to stop.

If the alleged harasser is the employee's manager, or in a position of power, the complainant is welcome to file a complaint with the President, or another member of the Executive Committee.

Immediate Assistance Procedures

The following measures and procedures should be followed when an incident of violence has occurred or is likely to occur and immediate assistance is required:

- Place an immediate call to emergency services by dialing 911.
- Notify the immediate Supervisor for additional assistance.

Investigation Procedures

Once a complaint has been received, the COATV will complete a thorough investigation. The organization will ensure that, where practicable, the investigation is completed within 90 days of the complaint being filed.

The investigation will include:

- Informing the respondent of the complaint;
- Interviewing the complainant and any persons involved in the incident;

- Identifying and interviewing any witnesses; and
- Obtaining statements from all parties involved.

All of the above information will be documented and used to determine whether an incident of violence or harassment occurred. If necessary, COATV may employ outside assistance or request the use of legal counsel. The Board of Directors as a whole will not be involved in investigations and will not be provided with any identifying information of the parties involved.

A copy of the complaint detailing the complainant's allegations will be provided to the respondent, who will be invited to reply in writing to the complainant's allegations. The reply will be made known to the complainant before the case proceeds.

The company will take all measures to prevent any disclosure of the incident and the identities of the parties involved, unless the disclosure is necessary for the investigation, for taking corrective action or required by law.

Results of Investigation

Upon completion of an investigation, COATV will provide both the complainant and respondent a written summary of the findings of the investigation and any corrective action that has been or will be taken as a result of the investigation. This written notification will be provided within 3 weeks of the investigation being completed and will not include the investigation report unless required by law.

Control Measures

Where COATV determines that violence or harassment has occurred, control measures will be implemented to eliminate or control the risk of violence or harassment to a worker as a result of the investigation. These control measures will be determined on a case-by-case basis, depending on the situation investigated. Any control measure enacted will be communicated to the complainant and respondent, as well as any other employees the measure affects.

Disciplinary Measures

Any disciplinary action will be determined by the Executive Director and/or Executive Committee and will be proportional to the seriousness of the behaviour or action involved in the incident.

If the organization determines that an employee has been involved in an incident of violence or harassment towards another employee, immediate disciplinary action will be taken, up to and including immediate dismissal.

Domestic Violence

If Central Ontario ATV Club (COATV) becomes aware that domestic violence is likely to expose an employee to physical injury in the workplace, the company will take every precaution reasonable in the circumstances for the protection of the worker.

Recommendations to Victims

The company will provide appropriate assistance to any employee who is a victim of violence or harassment. COATV recommends that a worker who has been harmed as a result of an incident of violence at the workplace consult their health care provider for treatment or referral for post-incident

counselling, if appropriate.

The Right to Refuse Unsafe Work

Employees have the right to refuse work if they have a reason to believe that workplace violence is likely to endanger them. Upon refusing to work, the employee must report the circumstance of the refusal to their manager. An investigation will follow in the presence of the health and safety representative or designated member of the Executive Committee as appropriate.

Fraudulent or Malicious Complaints

It is a violation of this policy for anyone to knowingly make a false complaint, or to provide false information about a complaint. Unfounded or frivolous allegations may cause both the respondent and the organization significant damage. Any employee who knowingly makes a false allegation related to violence or harassment will be subject to immediate disciplinary action, up to and including termination of employment.

Recordkeeping

COATV will ensure that appropriate records of complaints and investigations relating to incidents of violence and workplace harassment are kept, including:

- A copy of the complaint or details about the incident;
- Any records related to the investigation, including notes;
- A summary of the investigation results, including the reports provided to the complainant and respondent; and
- A copy of any corrective action taken to address the complaint or incident.

Confidentiality

COATV will not disclose the name of a complainant or a respondent or the circumstances related to the complaint or take corrective action with respect to the complaint or required by law. The company will only disclose the minimum amount of personal information or details necessary for these purposes.

All records of harassment, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. The COATV will do everything reasonably possible to protect the privacy of any individuals involved and to ensure that complainants and respondents are treated fairly and respectfully.

Policy Review

In accordance with the Occupational Health and Safety Act, this policy will be posted in a conspicuous place in the workplace and reviewed annually.

Approved by Alain Pominville – President and Kevin Nichol – Secretary on September 15th, 2024

Anti-Bullying Policy – Ontario

Policy # C02-24

Approval Date: September 15th, 2024

Year of Next Review: 2027

Intent

Central Ontario ATV Club (COATV) is committed to building and preserving a safe, productive, and healthy working environment for its employees based on mutual respect. Employees have the right to work free from harm and bullying in any form, and COATV is dedicated to ensuring employees can complete their duties without fear of bullying or harassment. All employees and Board Volunteers share in the responsibility to ensure that our workplace is a safe and welcoming place to work. In pursuit of this goal, acts of bullying against or by any employee will not be tolerated.

This policy is not meant to stop free speech or to interfere with everyday interactions. However, what one person finds offensive, others may not. Usually, bullying or harassment can be distinguished from normal, mutually acceptable socializing. It is important to remember it is the perception of the receiver of the potentially offensive message that determines whether something is acceptable or not, be it spoken, a gesture, a picture, or some other form of communication which may be deemed offensive or unwelcome.

Definitions

Employee: For the purposes of this policy, an employee is either an individual who is financially compensated for a specific role or position within the COATV OR an individual who is volunteering their time without compensation to the COATV.

Bullying: A repeated pattern of behavior intended to intimidate, offend, degrade, or humiliate a particular group or person. It is also the assertion of power through aggression, targeting the competence level of the person being bullied. Although it can include physical abuse or the threat of abuse, bullying usually causes psychological rather than physical harm.

Cyberbullying: A form of bullying or harassment intended to harm others using an electronic or online medium, such as social media websites, online chat rooms, e-mail, or text messages. Also referred to as online bullying or online harassment.

Harassment: Behavior that is hostile in nature and intends to degrade an individual or group based on personal attributes like prohibited grounds of discrimination under human rights legislation. It can include physical, verbal, written, graphic, or electronic means.

Workplace harassment: Any form of offensive, abusive treatment or hostile behavior that creates an intimidating, hostile, or abusive work environment and endangers the health and safety of the employee.

Guidelines

At COATV, employees have the right to work without fear of bullying. Bullying can possibly cause increased absenteeism and turnover, decreased productivity, and illness or injuries due to stress. COATV will not tolerate harassment or bullying in the workplace. Any employee who experiences or witnesses harassment or bullying should report the activity to their direct supervisor (Executive Committee).

All harassment and bullying complaints will be taken seriously and investigated appropriately. Employees who submit a report or complaint of harassment or bullying will not be subject to any form of reprisal or retaliation because of the complaint.

Examples of bullying include, but are not limited to:

- Spreading malicious rumours or gossip;
- Using derogatory names towards an employee;
- Intentionally excluding or isolating someone socially;
- Verbal or physical aggression, intimidation, or threats;
- Stealing credit for someone else's work or ideas;
- Making offensive jokes, either verbally or in writing;
- Tampering with personal belongings, work, or workspace;
- Deliberately undermining, belittling, or criticizing a person or their work;
- Constantly changing or removing responsibilities or guidelines without cause;
- Intentionally setting someone up to fail;
- Unwarranted disciplinary action; and
- Purposefully excluding an employee from future promotions.

Examples of cyberbullying include, but are not limited to:

- Sending threatening or damaging messages electronically;
- Spreading rumors through social media or e-mail;
- Electronic sabotage, such as sending viruses;
- Making slanderous remarks about the victim in public discussion areas;
- Impersonating the victim online by sending a controversial or inflammatory message which causes others to respond negatively to the victim;
- Sending offensive graphic material or pornography; or
- Creating a webpage or writing a blog entry that portrays the victim negatively.

Bullying or harassment do not include expressing differences of opinions or offering constructive feedback, guidance, or work-related advice about behavior. Reasonable action taken by management in relation to the direction of employees, including managing performance, assigning work, and implementing disciplinary actions should not be considered bullying.

Roles and Responsibilities

Employees have a shared responsibility to ensure the workplace is free from harassment and bullying. Employees should report any instances of bullying, whether they were the target of the bullying or witness to the bullying. In all cases, where a complaint of bullying is made in good faith, the employee will not be disciplined or retaliated against in any way. As such, employees are expected to treat others with respect, and contribute to a respectful and safe work environment and report all acts of bullying to management.

COATV will apply appropriate disciplinary actions for all incidents of harassment or bullying.

Management will:

- Promote a respectful and safe working environment;
- Ensure employees adhere to this policy;
- Investigate complaints of bullying or harassment promptly;
- Maintain a confidential file for complaints of harassment or bullying, investigations completed, and actions taken;
- Report the incident to police where appropriate; and
- Apply disciplinary action where appropriate.

Disciplinary Actions

If the findings of the investigation indicate that a violation of this policy has occurred, COATV will administer immediate and appropriate corrective or disciplinary action, up to and including dismissal. Corrective actions will be proportional to the seriousness or repetitiveness of the offence. Verbal or written warnings, training or counselling, monitoring the harasser, suspension, or dismissal may all be appropriate disciplinary actions.

Appeal Process

If either the alleged perpetrator or victim of bullying has worked through the process and believes that it has failed at some point, or that the corrective action is not consistent with the incident that led to the original complaint, an appeal can be made. The appeal must be submitted in writing to the COATV President of the Board, who will ensure that the appeal is processed.

Approved by Alain Pominville – President & Kevin Nichol – Secretary on September 15th, 2024.

Code of Conduct – Ontario**Policy # C01-24**

Approval Date: September 15th, 2024

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Intent

The Central Ontario ATV Club (COATV) is committed to providing a safe, healthy volunteer environment that promotes a high level of satisfaction and a respectful work environment. It is a shared responsibility of all board members to always conduct themselves ethically and professionally, including while attending Club events.

Guidelines

While representing COATV at Club events, board members are expected to follow the standard set out by this code of conduct. Club events include but are not limited to:

- Offsite meetings, including seminars, conferences, or training;

- Celebratory gatherings;
- Holiday parties;
- Teambuilding events;
- Volunteer or charity events;
- Networking events;
- Job fairs or trade shows;
- Club-sponsored events; or
- Any other events that board members attend during or outside work hours where they represent the Club.

In certain cases, board members may be allowed to consume alcohol or recreational cannabis during Club events. The Event organizers will determine and communicate with the Board before the event when alcohol or recreational cannabis use is appropriate or permitted. The Board reserves the right to prohibit consumption at any Club-sponsored events.

Violation of the code of conduct may result in disciplinary action, and in certain cases removal from the board, or termination of being a member of the COATV.

Respectful Conduct

Club events can be an opportunity for Club members to socialize and celebrate Club success. As such, Club events must remain a respectful environment free of harassment and behaviour detrimental to the Club.

While in attendance at Club events, board members are expected to:

- Act respectfully at all times;
- Refrain from making derogatory comments towards other attendees or individuals involved with the event;
- Report to the appropriate authority any witnessed misconduct or concerns regarding the behaviour of attendees;
- Refrain from participating in spreading gossip or rumours;
- Respect any rules or standards established by the venue or event coordinators; and
- Act in a manner that positively represents the organization and its interests.

Unacceptable Behaviour

Unacceptable behaviour at Club events includes but is not limited to:

- Causing physical harm to another person;
- Threats or harassing behaviour, including verbal, physical, or sexual harassment;
- Willful damage or destruction of property;

- Possession of a weapon while attending a Club event;
- Disorderly, immoral, or indecent conduct;
- Violation of any health and safety practices, policies, or procedures that may be in effect;
- The use, possession, sale, or dispensation of any illegal drug;
- Theft; and
- Any behaviour that adversely affects the board members reputation.

Alcohol

Where alcohol is served and permitted at Club events, COATV expects attendees to drink responsibly and prohibits drinking and driving. When attending Club events where alcohol is being served, members and/or board members must:

- Arrive at the Club event sober;
- Only consume alcohol in moderation, where it is allowed, and in appropriate areas;
- Monitor their guests for signs of intoxication; and
- Refrain from abusing any system that limits alcohol consumption (for example, stealing drink tickets).

Cannabis

Where recreational cannabis use is permitted at Club events, members who consume legalized recreational cannabis or cannabis products are expected to do so responsibly and are prohibited from driving while under the influence of cannabis.

Regarding legalized recreational cannabis at Club events, board members must:

- Arrive to the event sober and not under the influence of recreational cannabis or cannabis products;
- Only consume recreational cannabis and cannabis products allowed by law in legally established areas;
- Only consume recreational cannabis products in methods prescribed by law.

Any board member who consumes recreational cannabis or cannabis products will automatically be considered under the influence and unfit to drive, regardless of amount consumed. Board members who plan on consuming recreational cannabis must plan for their transportation home from the event in advance.

Driving Under the Influence

Under no circumstance should any board member drive while intoxicated or under the influence of recreational cannabis, alcohol, or any other substance that could cause impairment. The Club will take reasonable steps to ensure that members leaving Club events do so safely.

Dress Code

While attending Club events, COATV requires all board members to present themselves professionally regarding attire, hygiene, and appearance. Dress code requirements vary by type of event but appropriate

to the specific event. For example, a networking event may require business professional attire, whereas athletic attire may be appropriate for a team building event. The Club will communicate specific dress code for each event, as appropriate. These standards align with organization practices of appropriate business conduct, professionalism, and dress code.

Approved by Alain Pominville – President and Kevin Nichol – Secretary on September 15th, 2024.