

RASC Hamilton Centre Anti-Harassment Policy

Adopted:



A. Definitions & Terms

- 1) **Alleged Offender** – The individual or group against which the incident report has been made
- 2) **Appellant** – The individual or group appealing a decision made by the ruling body
- 3) **Board** or **Board of Directors** – The current elected and governing Executive of the RASC Hamilton Centre
- 4) **Committee** – The administrative body, consisting of at least two Centre members in good standing, chosen by the President or Board, to administer the investigation of the events contained in the incident report
- 5) **Complainant** – The individual or group who have reported the incident
- 6) **Complaint** – The incident report, in whichever form it is submitted, containing all the details of the incident, as reported by the Complainant
- 7) **Discrimination** – See **Section C**
- 8) **Forum** – The communication platform accessible at the following website: ([Hamilton Centre, RASC Forum](#))
- 9) **Harassment** – See **Section C**
- 10) **Investigator** – The member in good standing, chosen by the Committee, to execute the fact gathering process
- 11) **Participants** – members, guests, staff, contractors, exhibitors as well as members of the public
- 12) **Offender** – Upon a completed investigation, anyone who has been found to have contravened the policy set forth in this document
- 13) **Parties** – Collectively the Complainant and Alleged Offender (or Offender)
- 14) **Policy** – The entirety of this document
- 15) **Protected Characteristic** – Including, but not limited to: sex, gender identity or expression, sexual orientation or identity, race, national or ethnic origin, skin colour, religion, age, marital status, family status, genetic characteristics, disability, criminal conviction in force or pardoned, or any other basis for discrimination as set out by the Ontario Human Rights Commission or the Canadian Human Rights Act.
- 16) **RASC** or **Society** – The Royal Astronomical Society of Canada
- 17) **RASC Hamilton Centre** – Means the corporation of The Royal Astronomical Society of Canada, 1968, Hamilton Centre
- 18) **Reporter** – The person to whom the Complainant, verbally relays the details of the incident.
- 19) **Substitute** – The person(s) that shall act as replacement for the responsibilities of President or Committee member as set forth in **Section D** of this Policy

B. Statement of Policy

The Society and The RASC Hamilton Centre are committed to providing an atmosphere that encourages the free expression and exchange of ideas in a harassment-free, friendly and respectful environment.

This policy applies to and protects all Participants who attend or participate in events, attend facilities, electronic communication forums, any meeting or other activity of The RASC Hamilton Centre whether in-person or virtual.

In accordance with the Ontario Human Rights Code and the Canadian Human Rights Act, The RASC Hamilton Centre will not tolerate, condone or ignore harassment and/or discrimination of any Participant, based on Protected Characteristics.

Harassment of any kind is misconduct that undermines the integrity of the RASC Hamilton Centre and is more broadly disruptive of Society activities. Such misconduct is prohibited, and violators of this policy will be subject to disciplinary review.

This policy is written in accordance with Royal Astronomical Society of Canada (RASC) National Anti-Harassment Policy (G24) and outlines the expectations, complaints process, disciplinary actions, appeal process, confidentiality and other issues arising from Harassment at any RASC Hamilton Centre location or event.

C. Definition of Harassment and Discrimination

Harassment is **any** unwelcome conduct by an individual, based on but not limited to Protected Characteristics and directed towards another individual that causes offence or harm, or ought reasonably to be known to cause offence or harm.

Harassment can comprise of:

- a) objectionable act(s); non-consensual physical contact; content of a sexual nature that is unwelcome including sexual advances or requests for sexual favours
- b) comment(s) or display(s) that demean; belittle; or cause personal humiliation or embarrassment,
- c) verbal or written comments in any form (in person or electronically) that exclude or target members based on, but not limited to any of the Protected Characteristics
- d) act of intimidation or threat, physical violence, hostile acts, or causing someone to fear for their safety,
- e) bullying,
- f) epithets; slurs; negative stereotyping,
- g) denigrating jokes,
- h) display or circulation of written or graphic material containing any of the foregoing content
- i) retaliation and bad faith complaints

Definition of Harassment and Discrimination – (continued)

Harassment can occur over a period of time or as a single event. Improper conduct does not have to be made with the **intent** to harass or discriminate to be in violation of this policy.

There is no tolerable level of harassment. All reports of harassment will be investigated and resolved within a reasonable time, as circumstances permit, of the Board receiving the Complaint. Where the harassment is serious enough to approach Criminal Code levels (assault, hate speech, etc.), the police may be called in at the discretion of the Complainant, the Committee, Investigator or The Board or Directors.

D. Reporting Process

- i. **Self-Resolution** - Individuals who feel confident and comfortable in doing so, should 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. If an equitable resolution can be reached there is no need for further action unless the Complainant wishes to formally register the Complaint with the RASC Hamilton Centre.
- ii. **Support and Intervention** - Those who are not confident or comfortable with self-resolution and who believe they are targets of discrimination or harassment, or become aware of situations where such conduct may be occurring, are encouraged to report these matters to a member of The RASC Hamilton Centre Board of Directors, **in writing**.
 - a. If the harassment is at a criminal level (e.g. assault), **call the police**.
 - b. If the harassment is ongoing and cannot be reported or stopped at the time, the individual is encouraged to **remove themselves from the situation** and make a report later.
- iii. **Reporting Harassment** – The RASC Hamilton Centre aims to be accessible and responsive to any reported incidents by Participants. If harassment is in progress, and it is possible to report it immediately to a member of The RASC Hamilton Centre Board, do so verbally, followed by a formal written account of the incident using the Incident Report Form referenced in **Section D (iv)**.

For all incidents, it is best to make a report as soon as possible after the incident, as timely reporting and investigation help to prevent further harassment of the same person, or other persons, in the future. Notwithstanding, there will be no statute of limitations placed on how long after an Incident a Complaint may be filed, however, the longer the time between the incident and the time reported, the more challenging and difficult it may be to resolve.

The written complaint should include as many details of the alleged harassment or discrimination as possible, including the name of the Alleged Offender; the date(s)

Reporting Harassment – (continued)

time(s) and location(s) of the conduct complained of; the nature and specific details of the conduct complained of; and any physical or verbal interaction between the Complainant and the Alleged Offender. A Complainant should include any documentary evidence and names of any witnesses, if available. The written complaint may also suggest the action that the Complainant proposes be imposed on the Alleged Offender.

Every complaint will be treated seriously and as promptly as possible.

iv. Reporting options:

- **Fillable PDF** – An **Incident Report Form** is available on the RASC Hamilton Centre Website (www.hamiltonrasc.ca). This form can be filled-in and emailed to incident@hamiltonrasc.ca, or printed and mailed to the address below.
- **In Person** – Speak with a member of the RASC Hamilton Centre Board of Directors at a meeting or event to make a verbal report. You will be asked to write or verify a written report at a later time.
- **Email** – incident@hamiltonrasc.ca
- **Telephone** – Provide your telephone number to a member of the RASC Hamilton Centre Board of Directors, event coordinator, or via the Incident Report Form. A member of RASC Hamilton Centre Board will contact you by telephone.
Note: *Upon verbally gathering the details of the event, the Reporter will instruct the Complainant to submit the details in writing using the Incident Report Form.*
- **Mail** – Send the completed Incident Report Form to the RASC Hamilton Centre at:

**RASC Hamilton Centre
17 Main St. N. Box 969
Waterdown, ON L0R 2H0**

E. Investigation Process

Upon receipt of a complaint, it will be passed on to the President of the RASC Hamilton Centre, unless that is the person named as the Alleged Offender. Otherwise, it is the President's responsibility to select a Committee for further investigation.

If the President is unable to carry out the Committee selection for the aforementioned reason, the Board shall act as Substitute to select the Committee.

The selected Committee members will complete the Conflict of Interest Attestation form, located on the Member Forum at the following link: [Hamilton Centre, RASC Forum - Index \(hamiltonrasc.ca\)](#), to formally indicate that there is or is not a conflict of interest and submit the completed document to the President or Substitute as appropriate.

Investigation Process – (continued)

- i. **Conflicts of Interest with Committee Members** - If there is a conflict of interest with one or more Committee member then the President or Substitute must repeat the process until suitable individual(s) are found to comprise the Committee.
- ii. **Conflicts of Interest with the Investigator** - If there is a conflict of interest with the Investigator the Committee must repeat the selection process until suitable individual(s) are found to comprise the investigative body.
- iii. The Committee members and Investigator(s) must complete the Conflict of Interest Attestation, located on the Member Forum at the following link: [Hamilton Centre, RASC Forum](#), to formally indicate their individual conflict of interest status and submit the completed document as outlined in **Section E (i) & (ii)**, via the methods outlined in **Section D (iv)**.
- iv. Once the Committee is formed:
 - a. The Complaint will be provided, by a Committee member, as agreed upon, to the Alleged Offender, along with a copy of this Policy.
 - b. The Alleged Offender will be given the opportunity to respond to the Complaint and the Complainant's evidence with their version of events, their own evidence, and their representations and arguments, within 30 days or such longer period as the Alleged Offender may reasonably request.
 - c. At any point in the Complaint process, the Committee, may, if deemed appropriate in the circumstances, appoint one or more director, officer or other member of the Centre as an impartial Investigator, in which case paragraphs **d, e, f, g, h, i** and **j** of this Section will apply to the Investigator.
 - d. The Complainant and the Alleged Offender will be notified of the Investigator appointment and the name of the Investigator, and will be told that they have the right but not the obligation to speak with the Investigator.
 - e. The Investigator will first reach out to the Complainant to obtain all relevant details of the incident and ensure that the formal written account of the incident is complete. They will also determine what outcome would resolve the complaint satisfactorily.
 - f. The investigator will then contact the Alleged Offender, and ask to be provided with all relevant details of the Alleged Offender's response to the complaint.
 - g. If the facts are in dispute, or there are discrepancies in the accounts by the Complainant, from the written report or the Alleged Offenders account, or the Investigator deems it necessary for a full fact-finding endeavour, the Investigator will conduct such further investigation as may be appropriate, including interviewing persons who have been identified by the Parties as witnesses.
 - h. At the discretion of the Investigator, through the Committee, may obtain legal advice regarding the Complaint.
 - i. When the investigation is complete, the Investigator will make a report to the Committee, as appropriate, which will include
 - a) a summary of the undisputed and disputed facts of the case and the Investigator's findings of the facts,

Investigation Process – (continued)

- b) the investigator's opinion whether the Alleged Offender violated this Policy, and
 - c) if the Investigator is of the opinion that the Alleged Offender violated this Policy, a recommendation for appropriate discipline. The Investigator's report will include complete reasons for the findings of fact and the recommendation for appropriate discipline.
 - j. The Committee, as appropriate, will consider the Investigator's report, and through the Investigator may seek such additional information as may be necessary in order to obtain a complete appreciation of the facts of the case. All such additional information will be provided to both Parties.
 - k. The Complainant and the Alleged Offender shall then have the right to make written representations to the Committee, as appropriate, as to:
 - a) whether the Alleged Offender has violated this policy, and
 - b) if so, what discipline should be imposed.
- F. Resolution** - The Committee, as appropriate in rendering a recommendation to the Board, will consider:
 - a. The Investigator's report, and any additional information that it has obtained through the Investigator, and the extent to which the Parties have made representations;
 - (i) whether the complaint was substantiated and the Alleged Offender has violated the Policy, and
 - (ii) if so, what measures are to be imposed to ensure a harassment-free, friendly and respectful environment within The RASC Hamilton.
 - b. The recommendation will be communicated to the Board, as appropriate.
 - c. The Board will communicate to:
 - i. The Alleged Offender,
 - ii. The Complainant,
 - iii. The Society's Executive Director,the incident and any disciplinary action, for the purpose of tracking and follow up.
 - d. Barring any extenuating circumstances, a response or update will be provided the Parties within 2 weeks of receipt of the Complaint, by the Committee or Board, as appropriate.
- G. Actions for Violation of this Policy** - In determining the appropriate response and action to be imposed, the Board, as appropriate, shall consider any relevant factor, including:
 - (i) any previous violations of this policy by the Offender,
 - (ii) whether or not the Offender has acknowledged violating this policy, and
 - (iii) any apology that the Offender has made to the Complainant.
 - (iv) **Actions for Violation of this Policy – (continued)**

Actions for Violation of this Policy – (continued)

Consequences to persons found to have violated this Statement of Policy will take into consideration the requirement to ensure a harassment-free, friendly and respectful environment.

Actions may include any or all of the following:

- a. a warning, oral or written, to the Offender;
- b. prohibiting the Offender from participating in or attending Centre events or activities for such period and on such terms as may be appropriate,
- c. termination of the Offender's membership in the Centre,
- d. involvement of law enforcement (if the offence is of a criminal nature), and
- e. such other discipline as may be appropriate.

H. Follow Up and Harassment Incident Tracking - A Board member will take steps to ensure that the Complaint has been addressed to the best ability of the RASC Hamilton Centre, and in particular that no further harassment is occurring. If this process does not lead to a satisfactory resolution, the Board shall communicate the Complaint in writing to the RASC National Society. At which time, the RASC National Society Policy will take over. Please refer to **Policy G24, Anti-Harassment Policy** in the RASC National Policy Manual.

I. Appeal - As per the RASC National Anti-Harassment Policy, appeal of determinations made by a Centre can be forwarded by the Appellant to the Society's Board of Directors. Please refer to **Policy G24, Anti-Harassment Policy** in the RASC National Policy Manual.

J. Confidentiality of Complaints, Investigations and Determinations

Confidentiality of the identity of any Complainant and of any person who is alleged to have been harassed or discriminated against contrary to this Policy is of the utmost importance to the proper operation of the Policy. Confidentiality of the identity of the Alleged Offender is also important to the fair application of this Policy, unless the Alleged Offender is determined to have violated the Policy. Subject to the exceptions listed below, therefore, all persons who become involved in a Complaint under this Policy, and all members of the Centre who may learn that a Complaint has been made under this Policy, are required to keep confidential and not to disclose to anyone any of the following:

- (i) the particulars of the Complaint;
- (ii) the identity of the Complainant and of the Alleged Offender;
- (iii) the particulars of any investigation of the Complaint;
- (iv) any of the contents of an Investigator's report; and
- (v) the arguments and representations of the Complainant and of the Alleged Offender, if any

Confidentiality of Complaints, Investigations and Determinations – *(continued)***Exceptions:**

The foregoing confidentiality provisions are subject to the following exceptions:

- (a) The fact that a Complaint has been made may be disclosed, but the particulars of the Complaint are confidential.
- (b) The identity of the Complainant may be disclosed, but only with the written consent of the Complainant.
- (c) The identity of the Alleged Offender may be disclosed, but only if the person is determined to have violated the Policy.
- (d) The determinations made by the Committee, or the Society's Board of Directors, as the case may be, as to
 - (i) whether the Alleged Offender has violated this Policy, and
 - (ii) if so, what discipline was imposed, may be disclosed.
- (e) The Complainant and the Alleged Offender may disclose the particulars of the Complaint, the identity of the Complainant and of the Alleged Offender, and the particulars of any investigation of the Complaint for the purpose of obtaining evidence and presenting their positions for the investigation and to the Committee, as appropriate.
- (f) Disclosure may be made that a Complaint was made, the name of the alleged Offender, that the complaint has been dealt with in accordance with this Policy, and the determinations made by the Committee, as the case may be, as to:
 - (i) whether the Alleged Offender has violated this Policy, and
 - (ii) if so, what discipline was imposed, are not confidential and may be disclosed.

K. Review

At any point that is at least six months after discipline has been imposed under **Section G** of this Policy, the Offender may make a petition, in writing to the Directors of the Society, as appropriate, and as outlined in **Policy G24, Anti-Harassment Policy** in the RASC National Policy Manual, for a review of the discipline that was imposed, on such grounds and with such evidence as the Offender may choose to advance and present.