

ARTICLE XII.

Section 12.01. Sexual Harassment Policy: The Club intends to provide a healthy, positive sporting environment for all athletes. All athletes should have the opportunity to train and compete in a safe and non-threatening environment. The Club encourages fair play, free of harassment and intimidation. Everyone who participates in the Club either as a member or a non-member, whether as a player, athlete, coach, instructor, administrator, official, parent or volunteer, should be treated with respect. Any form of sexual harassment is strictly prohibited.

Section 12.02. **Sexual harassment** is any form of unwelcome conduct based on a person's gender. There are two basic types. The first type occurs when a person is promised some kind of benefit, is threatened or fears some kind of harm in exchange for sexual favors. Sexual favors include repeated request for dates and social events as well as request for any kind of sexual touching.

Section 12.03. The second type of harassment is more commonly alleged and does not require any threat or promise of benefit: sexual harassment occurs if a harasser by his or her conduct or failure to act creates or allows a hostile, offensive or intimidating environment. An environment may be hostile even if no touching occurs; jokes, pictures, innuendo, comments about a person's body or appearance, sexual remarks about others, gestures and looks, and even more subtle practices may create a hostile environment.

Section 12.04. Any person who feels they have been subjected to sexual harassment or believes that another person has been subjected to sexual harassment must immediately contact one of the coaches of the Club or any of the Club Officers listed below. All complaints will be investigated promptly. After an investigation of facts, appropriate action will be taken, up to and including expulsion from the Club or termination of coaching, administration, official or volunteer position. No reprisal action will be taken against anyone reporting an incident or making a complaint.

Fort Zumwalt West Inline Hockey club, officers to contact for reporting incidents of sexual harassment:

1. President
2. Vice President of Development
3. Vice President of Administration
4. Head Coach

Section 12.05. PROCEDURE FOR INVESTIGATING SEXUAL HARASSMENT

I. Meeting with the Complainant

1. Approve use of policy.
2. Emphasize importance of providing complete information.
3. Stress information will be used discreetly, but cannot promise confidentiality.
4. Get specific details of the complaint.
5. What happened? Press for details regarding any verbal comments or physical contact.
6. How many times did it happen?
7. Where did it happen?
8. What was the relationship between the complainant and the alleged harasser?
9. Any socializing?
10. How did the offensive behavior affect the complainant? (i.e. Anger, embarrassment, physical illness, psychological counseling, trouble with performance)
11. Did complainant ever object to behavior or comments or indicate it was unwelcome? If so, how? What was the response of the alleged harasser?
12. What does the complainant want done? (i.e. Apology, Punishment)

13. Obtain names of other persons who may have witnessed the offensive behavior.
14. Obtain names of other persons who the complainant has discussed the alleged harassment with and what was discussed and when.
15. Obtain names of other persons complainant believes may have been subject to the same offensive behavior.
16. Explain to the complainant that the complaint will be investigated and he/she will be told the results of the investigation and resolution.
17. Assure complainant that the Club will not tolerate retaliation for making a complaint. If any retaliation occurs, the investigator should be notified immediately.
18. Do not reach any conclusions during the meeting, guarantee any particular results, trivialize the complaint.
19. Summarize the details of the complaint.

II. Interviewing Witnesses

1. Indicate a complaint has been made under the Sexual Harassment Policy.
2. Explain to witness it is important to tell the truth and that the Club will not tolerate any retaliation for providing information. Information will be treated with as much confidentiality as possible.
3. Outline the complaint in general terms.
4. Ask if he or she has seen or knows of the behavior that has been alleged.
5. Ask for specific details of the behavior. Describe the behavior or incidents. Whether the complainant reacted. Whether there were any indications that behavior was welcome or unwelcome.
6. Obtain names of others who may have information regarding the behavior.
7. Thank the witness and instruct that any retaliation should be reported to the investigator.
8. Summarize the information.

III. Interviewing the Alleged Offender

1. Indicate there has been a complaint under the Sexual Harassment Policy.
2. Identify the complainant, the alleged behavior, and its alleged effects.
3. Question the Alleged Offender about each incident raised and determine:
 - What happened?
 - What was intended by the conduct?
 - Why did the conduct occur?
4. Did the complaint object or complain? How? Did Complainant seem upset?
5. Did the complainant do anything to make the Alleged Offender think such conduct or behavior was welcomed?
6. If Alleged Offender claims all incidents are untrue, ask if there is any reason complainant would assert such claims?
7. Confront Alleged Offender with any allegations made by witnesses and co-workers and get details on Alleged Offender's responses.
8. Ask the Alleged Offender for any witnesses that may shed light on or rebut the allegations.
9. Ask for any other information that would help the investigation.
10. Inform the Alleged Offender the claim will be investigated fully and disciplinary action may be taken upon concluding the investigation.
11. Explain that no retaliation will be tolerated towards the complainant, witnesses or coworkers.
12. Summarize the Information.

IV. Analysis of Investigative Data

1. Does the conduct or behavior violate any laws?
2. Does the conduct or behavior violate any company policies?
3. Has the conduct injured the complainant, other employees, or the company?
4. Is this a repeat offense? Check personnel files of the complainant and the alleged offender.
5. Review club policy and procedures.
6. Make a decision based on the summaries of the parties and witnesses and your analysis.

V. Resolution

1. Take action that is appropriate to the behavior. Avoid publishing any disciplinary action to those without a need to know. Remedies may include:
 - Meeting with Complainant and Alleged Offender to resolve misunderstanding.
 - Apology by Alleged Offender.
 - Verbal warning with documentation in file or written warning to Offender.
 - Counseling for the Offender.
 - Probation for Offender.
 - Suspension from club activities.
2. Explain to Complainant investigation results and resolution. Remedy any unfair situations caused by such actions.
3. Keep all investigative materials in a separate file. Make some note in personnel files of Complainant and Alleged Offender of complaint for future reference.
4. Stress to both parties again that retaliation will not be tolerated. Periodically meet with Complainant to review any further problems or retaliation.