Canadian Ski Patrol System

Mutual Respect Policy

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Version 01.01
Final 2004-10-24

Our mission statement:
“To promote safety and injury prevention in partnership with the ski/snow industry and to provide the highest possible standards of education, certification and delivery in first aid and rescue services.”

This Policy shall be followed by all members of the Canadian Ski Patrol System.

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01 History

01.01 First publication
This Policy was first established in 2004 by the National Board of Directors.

01.02 Versions
This is the initial version of the Policy, approved on October 20, 2004 by the National Board of Directors.

02 Purpose

02.01 To clearly establish the responsibility and resultant accountability of all members to prevent and discourage harassment and to respond appropriately to complaints of harassment brought to their attention.

02.02 To provide all members of the Canadian Ski Patrol System in a position of authority with the information required to carry out their duty and responsibility to uphold and implement the provisions of the CSPS Mutual Respect Policy.

03 Objectives

The objectives of this policy are:

03.01 To clearly establish the responsibilities and accountability of all members to prevent and discourage harassment.

03.02 Create and maintain a harassment-free environment through:

- education and awareness;
- prevention;
- intervention;
- effective complaint handling

03.03 The Executive Officers at each level have the responsibility to maintain an environment free from harassment by:

- ensuring that all complaints referred to them are promptly resolved
- ensuring that complaints are handled confidentially
- appointing persons to immediately investigate formal harassment complaint and identify these individuals to the parties involved
- ensuring that disciplinary action is taken if investigative findings warrant such action
- taking steps to prevent the recurrence of harassment
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- taking steps to protect from retaliation a member who makes a harassment complaint in good faith

The Canadian Ski Patrol System does not tolerate any form of harassment and undertakes to protect all members.

Any person who has authority to prevent or discourage harassment will be held responsible for failing to exercise this authority.

04 Definitions

04.01 Harassment

Harassment takes many forms but can generally be defined as behaviour including comments or conduct which are insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to individuals or groups of individuals or which creates an uncomfortable environment.

Harassment may include but is not limited to:

- written or verbal abuse or threat;
- sexually oriented comments;
- racial or ethnic slurs;
- remarks, jokes, innuendoes, or taunting;
- displaying of sexually explicit, racist, or other offensive or derogatory material;
- sexual jokes that single out a vulnerable group, promote prejudice, or reinforce negative stereotype;
- unwelcome sexual remarks, invitations, or requests, whether indirect or explicit, or intimidating;
- leering (suggestive staring), or other obscene or offensive gestures;
- condescension, paternalism, or patronising behaviour which undermines self-respect or adversely affect performance or working conditions;
- physical conduct such as touching, kissing, patting, pinching, etc.;
- vandalism;
- physical assault;
- unwelcome behaviour, known or reasonably to be known to be unwelcome;

04.02 Reprisal

As part of their right to freedom from harassment, Canadian Ski Patrol System members are protected from reprisal or threat of reprisal.

Reprisal may include situations in which a member is:
• denied or threatened with denial of promotional advancement, training, or other related opportunities or benefits;
• disciplined or threatened with dismissal in circumstance where the member has made a formal complaint of harassment against another member of the system.

04.03 Behaviour

Behaviour that constitutes harassment can be intentional or it can be unintentional. Intentional behaviour usually stems from hatred or fear. Unintentional behaviour often stems from ignorance. The fact that behaviour may be unintentional does not mean that it is not harassment. It is not the intent that counts; it is the result. Unintentional behaviour can be changed through education, clear communication, or simply informing the individual that the behaviour is offensive.

It is recognized that intentional behaviour is more difficult to deal with.

05 Audience

This policy is directed to all Members of the Canadian Ski Patrol System, regardless of what position they occupy in the system.

This policy is for the protection of all members from harassment by Zone, Division, or National Officers, instructors, or any other member in authority, which may occur:
• during the course of their Patrolling; or
• outside of their work in the Patrol where there may be repercussions in the Patrol environment adversely affecting Patrolling relationships.

06 Interpretation, enforcement, and reference

06.01 Interpretation

The interpretation of this policy shall be the responsibility the National Vice-President of Operations.

06.02 Enforcement

All members of the Canadian Ski Patrol System have a responsibility not to harass any other members.

Executive members, instructors, examiners, and members of the CSPS have a
positive responsibility to create and maintain a Patrolling environment free of all
forms of harassment. They must demonstrate leadership through action and
example by preventing and discouraging harassment.

They must:

- understand and uphold the principles of the CSPS Mutual Respect Policy and
  the Human Rights Act;
- not engage in behaviour contrary to the CSPS policy and ensure that all
  members with whom they patrol are treated fairly and equitably;
- communicate the National objective to create and maintain a harassment-free
  system;
- not allow, condone, or ignore behaviour contrary to this policy;
- respond appropriately to complaints of harassment.

Complaints of harassment must be presented in writing to the Vice-President of
Operations at the appropriate level: Zone, Division, and then National.

The Vice-President of Operations at each subsequent level must take the
necessary steps for receiving, investigating, responding, and finding resolution to
each complaint by:

- providing information and confidential advice to members who are concerned
  about harassment, including information on the complaint procedure and other
  options;
- providing information and advice to their executive members and other CSPS
  persons of authority on human rights related matters;
- receiving, reviewing, and maintaining a central record of all complaints or
  harassment;
- monitoring complaint investigations;
- providing consultation and advice to their executive regarding appropriate
  action to resolve complaint, including follow-up activities.

06.03 Main reference

The English version of this Document shall be deemed to be the main reference in
the case of conflicts with the French version.
07 Ownership and maintenance

07.01 Ownership
The National Board of Directors is the owner of this document.
The National Board of Directors must approve amendments to this policy.

07.02 Maintenance
The National Board is responsible for the maintenance of this document.

07.03 Cancellation
The cancellation of this Policy and of the Procedures adopted on the basis of this Policy shall require written approval of the National Board of Directors.

08 Purpose and rationale

08.01 Purpose
Ensure the achievement of equal opportunities including the establishment of an environment in which all members are capable of contributing to the System, to their maximum potential, without unwanted harassment.
State that mutual respect is indispensable among our members (and concerning others) and dictate the absolute prohibition of harassment in our ranks.
Ensure that all members have the objective of understanding what harassment is, its ramifications, and making sure that their involvement with the CSPS is harassment-free.

08.02 Rationale
The term “Mutual Respect Policy” was chosen instead of the more typical “Harassment Policy” because the National Board of Directors felt it encompassed more than harassment only.
Instead of developing a Policy simply requiring the establishment of a Mutual Respect procedure by Operations, the National Board of Directors decided that this topic warranted the development of specific guidelines for mutual respect as a basis for all Mutual Respect and Harassment Policies developed within the System as well as to guarantee all members would be covered.

09 Implementation

09.01 All Divisions will have developed and implement a harassment procedure that complements the adopted Division harassment policy by March 31, 2006.

09.02 The National Vice-President of Operations has the authority to determine at what level a complaint of harassment should be dealt with and whether the level chosen has a means of dealing with the complaint.
09.03 The National Vice-President of Operations may impose the National Mutual Respect Policy: if it is determined that the Zone/Division policy is inadequate.

09.04 Other Harassment Policies as deemed appropriate by the National Vice-President of Operations may be used as document of choice.

09.05 The Vice-President of Operations will provide members with a formal Appeals document to be submitted if or when an appeal is requested to the next level of the system.

10 Complaint, investigation, and resolution procedure

10.01 Complaint

The process for raising the complaint must include as a minimum:

- Members who believe they have been victim of harassment should first attempt to resolve the issue directly with the persons concerned. If a satisfactory resolution is not achieved, the individual members may and are indeed encouraged to consider advancing their complaint to the next level.

- Report the incident to the Vice-President of Operations at their specific level (Zone, Division, and National).

- Members are encouraged to use the complaint procedure established by the Harassment Policy in their own Zone/Division prior to raising a complaint using the National Policy.

10.02 Investigation

Once a complaint is reported, immediate action must be taken at the appropriate level. As a minimum the process shall include:

- Documentation of the complaint and immediate forwarding to the Vice-President of Operations, who must inform the relevant (pertinent) Executive of the complaint as soon as possible.

- The Executive must then immediately appoint one or more impartial persons of competency to investigate the incidents.

- The complaint must be immediately forwarded to the person of competency.

- A person of competency is defined as an individual with the affected level who is in a position of trust, responsibility, and authority. In the event of conflict, it may be a member at the next level of the system.

- The Vice-President of Operations must ensure that an investigation is initiated.

- Involved members must be advised that a complaint of harassment has been brought forward and an investigation is to proceed.

- Documentation of the results and conclusions of the investigation by the person of competency.
10.03 Resolution

The intent of the National Mutual Respect Policy is to provide all members with a harassment-free environment. This can be accomplished through prevention, and through effective complaint resolution. In resolving the complaint-the goal is to eliminate the harassment.

As a minimum, the process must include:

- Informing the harasser that the behaviour is inappropriate, in contravention of the CSPS policy, Human Rights Act, and must cease immediately.
- Asking for an apology from the harasser and arranging for a face-to-face meeting or a written apology between the parties to effect the resolution.
- Advising both the complainant and the respondent that a recurrence of the behaviour will result in the need for corrective and disciplinary action.

10.04 Disciplinary action

All disciplinary action is left to the discretion of the Vice-President of Operations and their investigative members. Actions taken may include but are not limited to:

- Imposition of sanctions
- Warnings, verbal or written
- Probationary conditions
- Temporary membership suspension
- Termination of membership with the CSPS

11 Appeal procedure

11.01 Members who have been accused of harassment and are not satisfied with the resolution of the complaint have the right to appeal. To do so, they must provide full documentation to the next operating level of the system. The final step in the CSPS procedure is to appeal to the National President.

As a minimum, the process must include:

- Providing a completed Appeals form
- Attaching a copy of the Complaint form
- Any and all documentation that may provide further insight into the complaint.
12 Reference documents

The Operations representatives are encouraged to consult their local “Harassment Policy” as reference documents when necessary. If such document is not available or deemed inadequate, it is encouraged that the “National Mutual Respect Policy” be used as the document of choice.

13 Non exclusive procedure

13.01 Although this policy is intended to provide a framework for the resolution of harassment complaints within the CSPS, it is not intended to prevent members from seeking additional avenues of support or resolution, including, but not limited to, civil, criminal, and Human rights complaints.