Laurentian Nordic Ski Club
Whistle Blower Policy

Policy

Effective Nov 20 2023

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Definitions

1. Terms in this Policy are defined as follows:

2. ***Participants*** – Refers to all categories of individual members as defined in the By-laws of Laurentian Nordic Ski Club who are subject to the policies of Laurentian Nordic Ski Club, as well as all people employed by, contracted by, or engaged in activities with Laurentian Nordic Ski Club including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, directors or officers

3. ***Report (or Reported)*** – as defined in the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS") and as amended from time to time by the Sport Dispute Resolution Centre of Canada

4. ***Worker*** – Any person who performs work for Laurentian Nordic Ski Club, including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors

Purpose

5. Laurentian Nordic Ski Club is committed to fostering an environment conducive to open communication regarding the business practices of Laurentian Nordic Ski Club and to protecting Workers from unlawful retaliation and discrimination for their having properly disclosed or Reported illegal or unethical conduct.

6. To further this commitment, this Policy:

a) Establishes guidance for the receipt, retention and treatment of verbal or written Reports received by Laurentian Nordic Ski Club from a Worker regarding actions that (i) are illegal, unethical or contrary to the organization's policies in respect of accounting, internal controls, disclosure, or business practices or (ii) constitute Discrimination,

Harassment/Workplace Harassment, Workplace Violence or Abuse[1] against a Worker by a Director or another Worker;

b) Provides Workers who make a Report with a means to make Reports in a confidential and anonymous manner; and

c) Demonstrates the organization's intention to discipline any person who commits an act of retaliation or reprisal against a Worker up to and including termination of employment for just cause, in the case of employees.

Application

7. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Directors other Workers.

8. Incidents of wrongdoing or misconduct observed or experienced by other Participants or other individuals not employed or contracted by Laurentian Nordic Ski Club can be Reported under the terms of the *Discipline and Complaints Policy* and/or reported to the organization's Board of Directors or to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or the organization's policies for human resources.

9. Matters reported under the terms of this Policy may be referred to be heard under the *Discipline and Complaints Policy*, at the discretion of the Compliance Officer.

10. In accordance with the *Discipline and Complaints Policy*, breaches of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) by a UCCMS Participant may also be reported to the Office of the Sport Integrity Commission (OSIC).

[1] Discrimination, Harassment, Workplace Harassment, Workplace Violence and Abuse shall have the meanings set out in the Laurentian Nordic Ski Club *Code of Conduct and Ethics* unless a different meaning is prescribed by applicable law in the relevant jurisdiction, in which case the meaning in the applicable law will prevail.

Wrongdoing

11. Wrongdoing can be defined as:

    a) Violating the law;
    b) Intentionally or seriously breaching of the *Code of Conduct and Ethics*;
    c) Intentionally breaching the UCCMS
    d) Committing or ignoring risks to the life, health, or safety of a Participant or other individual;
    e) Directing an individual or Worker to commit a crime, serious breach of a policy, or other wrongful act; or
    f) Fraud.

Pledge

12. Laurentian Nordic Ski Club pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against another Worker under the terms of this Policy.

13. Any individual affiliated with Laurentian Nordic Ski Club who breaks this **Pledge** will be subject to disciplinary action.

Reporting Wrongdoing

14. A Worker who believes that another Worker has committed an incident of wrongdoing should prepare a Report that includes the following:

    a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
    b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
    c) Why the act or action should be considered to be wrongdoing; and

d) How the wrongdoing affects the Worker submitting the report (if applicable).

Authority

15. The following Compliance Officer has been appointed to receive reports made under this Policy:

Laurie Ehrman

laurie@ewcsport.com

16. After receiving the report, the Compliance Officer has the responsibility to:

a) Assure the Worker of the **Pledge**
b) Connect the Worker to the Alternate Liaison if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report
c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the Worker that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith
d) Determine if the *Whistleblower Policy* applies or if the matter should be handled under the *Discipline and Complaints Policy*
e) Determine if the local police service should be contacted
f) Determine if mediation or alternative dispute resolution can be used to resolve the issue
g) Determine if the Chair and/or [note: Laurentian Nordic Ski Club to specify contact – e.g. Chief Executive Officer] should or can be notified of the report
h) Begin an investigation

Alternate Liaison

17. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

[Name] [Title]
[Role]

18. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with the organization without the Worker's consent.

19. A Worker who is unsure if they should submit a report, or who does not want to have their identity known, may contact the Alternate Liaison for informal advice about the process.

Investigation

20. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, the Chair and/or [note: Laurentian Nordic Ski Club to specify contact – e.g. Chief Executive Officer] may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the Report being disclosed. The Chair and/or [note: Laurentian Nordic Ski Club to specify contact – e.g. Chief Executive Officer] may not unreasonably refuse the decision to contract an external investigator.

21. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:

    a) Follow-up interview with the Worker who submitted the report

b) Identification of Workers, Participants, volunteers or other individuals that may have been affected by the wrongdoing
c) Interviews with such-affected individuals
d) Interview with the Director(s) or Worker(s) against whom the Report was submitted
e) Interview with the supervisor(s) of the Worker(s) against whom the report was submitted, if applicable

22. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the Chair and/or [note: Laurentian Nordic Ski Club to specify contact – e.g. Chief Executive Officer] for review and action.

Decision

23. Within fourteen (14) days after receiving the Investigator's Report, the Chair and/or [note: Laurentian Nordic Ski Club to specify contact – e.g. Chief Executive Officer] will take corrective action, as required. Corrective action may include, but is not limited to including:

    a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
    b) Revision of job descriptions; or
    c) Discipline, suspension, termination, or other action as permitted by the By-laws, provincial employment legislation, applicable policies for human resources, and/or the Worker's Employment Agreement or Contractor Agreement.

24. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.

25. Decisions made under the terms of this Policy may be appealed under the terms of the *Appeal Policy* provided that:

a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that their identity must be revealed if they submit an appeal, and
b) If the Worker against whom the initial report was submitted is appealing the decision, the Worker understands that the identity of the Worker who submitted the report will not be revealed and that the organization will act as the Respondent

Confidentiality

26. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

27. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Laurentian Nordic Ski Club recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

28. Investigation reports and details of corrective action(s) taken (if any) will be maintained by Laurentian Nordic Ski Club indefinitely.

Privacy

29. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Laurentian Nordic Ski Club's *Privacy Policy*.

30. Laurentian Nordic Ski Club or any of its delegates pursuant to this Policy (i.e., the Compliance Officer, Alternate Liaison, investigator) shall comply with Laurentian Nordic Ski Club's *Privacy Policy* in the performance of their services under this Policy.