

POLICY STATEMENT ON DISCRIMINATION, HARASSMENT & ABUSE

Edition 2019

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1. Introduction

Any form of discrimination, sexual abuse and sexual harassment are completely incompatible with the intrinsic values of sports. Within the International Floorball Federation (IFF) there is zero tolerance for discrimination and harassment irrespective of gender, ethnic background, religious faith, sexual orientation and disability.

In its role of promoting and protecting the health of the athlete, the athlete's entourage and all officials, the IFF recognises the rights of all athletes, including the right to enjoy a safe and supportive sport environment. It is in such conditions that athletes are most likely to flourish and optimise their sporting performance. Discrimination and harassment are violations of human rights, regardless of cultural setting, that damage both individual and organisational health.

While it is well known that sport offers significant potential for personal and social benefits, this potential is undermined where such problems occur. Abuse of power or trust can occur by any individual at any level in the organisation, hence it needs to be taken into account.

Zero tolerance implies that discrimination, harassment and abuse must not take place. Therefore, all organisations within the IFF have a responsibility to hinder these actions. It is a prerequisite that both the employees and volunteers within sports follow the guidelines regarding discrimination, sexual harassment and abuse, and that suspicion of any such matters is notified and/or dealt with if a situation should occur.

Sexual harassment and abuse occur worldwide. In sport, they give rise to suffering for athletes and others, and to legal, financial and moral liabilities for sport organisations. No sport is immune to these problems which occur at every performance level. Sport organisations, in particular, are gatekeepers to safety and should demonstrate strong leadership in identifying and eradicating these practices.

Everyone in sport shares the responsibility to identify and prevent sexual harassment and abuse and to develop a culture of dignity, respect and safety in sport.

IFF will do its best to protect every person that has been harassed, discriminated and/or has been reported.

1. POLICY STATEMENT ON DISCRIMINATION, HARASSMENT & ABUSE

1.1. Purpose

The purpose of this Policy Statement and Guidelines on Discrimination and Harassment is to:

- outline the IFF's policy on Sexual Harassment & Sexual Abuse, including who the policy applies to, and where it applies, and the definitions for the types of behaviour that are covered;
- describe the processes that are in place to help prevent these behaviours from occurring and the responsibilities of IFF participants to achieving a work and sport environment free of sexual harassment and sexual abuse;
- define the procedures available to IFF participants to bring forward a complaint;
- describe the consequences of a breach of this policy, including interim measures and specific sanctions;
- outline the record-keeping procedures when a complaint is received; and
- provide a statement regarding confidentiality when dealing with complaints and other matters associated with this policy and guidelines.

The IFF recognises that bullying, harassment and discrimination can poison the work/sport environment for the wider group, as well as for those members of the group targeted by the bullying, harassment or discrimination. All IFF participants are expected to support a work environment that fosters respect and promotes the dignity and self-esteem of each other.

The IFF is committed to creating and maintaining a work and sport environment which is free from:

- personal harassment and bullying, and
- discrimination or harassment based on prohibited grounds, including race, ancestry, place of origin, colour, ethnic origin, citizenship, political opinion, creed, sex, sexual orientation, disability, age, marital/family status, language and any other discrimination or harassment prohibited by applicable law.

1.2. Guidelines

The IFF has adopted guidelines against sexual harassment and abuse that shall be applied in all parts of the organisation. The management has the main responsibility for publicising the guidelines within the organisation and the IFF staff, IFF officials and IFF event participants are responsible for adhering to them.

The following guidelines apply within the IFF:

- Treat everyone with respect, and refrain from all forms of communication, action or behaviour that may be perceived as offensive
- Avoid body contact that may be perceived as unwanted
- Avoid all types of verbal intimacy that may be perceived as sexually charged
- Avoid expressions, jokes and opinions that relate to the individual's gender or sexual orientation in a negative way
- Seek to have both sexes represented in the support network



- Do not offer any form of reward with the purpose of demanding or anticipating sexual services in return
- Take action and give notice if a breach of these rules is experienced

The IFF leadership (IFF staff, IFF officials, IFF Central Board, IFF Event organisers etc) have the main responsibility for letting these rules be known in the organisation/sports environment, and that they are adhered to.

1.3. Definitions

IFF Participants

This policy and guidelines apply to all IFF participants, which include all persons engaged in any paid or volunteer capacity with the IFF or otherwise under the jurisdiction of the IFF. Without limiting the reach of the guidelines, IFF participants include:

- IFF officers, members and volunteers;
- IFF employees and persons under contract with the IFF;
- all athletes eligible for nomination to, or forming part of, any team participating in sport competitions over which IFF has jurisdiction; and
- all persons working with those teams or athletes, including coaches, medical and paramedical personnel, sports federation representatives, and other support persons;

Work in Sport

The IFF Policy and these guidelines apply to IFF participants at all times, during the course of their work in sport and also during other activities where their conduct may affect the work and sport environment, whether that be at the IFF offices, at meetings of the IFF or other entities, or at IFF events.

Person in Authority

A person in authority is any IFF participant in a position of authority over, or trusted by, a person who may be experiencing harassment, and can include such persons as team leaders, coaches, trainers, medical or paramedical personnel, parents or other volunteers.

Within IFF workplaces, a person in authority includes all supervisors and managers, and all members of the IFF Central Board.

Harassment

Harassment is a form of discrimination, and refers to wrongful conduct, whether or not the conduct is associated with a prohibited ground, that negatively affects the work and sport environment or leads to adverse consequences within that environment for the person(s) experiencing the harassment, which the perpetrator knew or ought reasonably to have known would be unwelcome.

Harassment includes bullying, and can take many forms but often involves conduct, comment or



display that is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading, or otherwise causes offence, discomfort, or personal humiliation or embarrassment to a person or group of persons.

Examples of harassment include:

- unwelcome remarks, jokes, nicknames, innuendo, or taunting which may, but need not be linked to a prohibited ground, such as a person's age, sexual orientation, race, ancestry, political opinions, etc.;
- written or verbal abuse or threats which may, but need not be linked to a prohibited ground;
- racial, ethnic or other slurs;
- displays which may cause offence and which may, but need not be related to prohibited grounds, such as sexual, racial, ethnic or religious posters or graffiti;
- use of terminology that reinforces stereotypes which may, but need not be based on prohibited grounds;
- vandalism or physical assaults which may, but need not be motivated by prohibited grounds; and
- condescension, paternalism, or patronizing behaviour which may, but need not be linked to prohibited grounds which undermines self-respect or adversely affects performance or working conditions

Personal Harassment

Personal harassment is inappropriate behaviour directed toward an individual which the perpetrator knew or ought reasonably to have known would be unwelcome. The behaviour is repeated, or has the potential to be repeated, over time.

Examples of personal harassment include belittling jokes, insults, nicknaming, inappropriate teasing, taunting and condescension.

Bullying

Bullying is unwanted verbal, physical or social behavior directed to harming or inappropriately controlling another person. It often involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time.

Examples of bullying are such actions as threats, spreading rumors, attacking someone physically or verbally, and deliberately excluding someone from a group.

Sexual Harassment

Sexual harassment is unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature or related to a person's sex when:

- submitting to or rejecting this conduct can affect decisions about the individual;
- the conduct has the purpose or effect of interfering with the individual's performance;
- the conduct detrimentally affects the work and sport environment.

Specific examples can include:



- criminal conduct such as stalking, and physical or sexual assault or abuse;
- inappropriate comments about a person's body or appearance;
- inquiries or comments about an individual's sex life, sexual preferences, etc.;
- leering or other obscene or suggestive gestures;
- promises or threats contingent on the performance of sexual favours;
- sexual/sexist graffiti or any displaying of sexually explicit material or pictures;
- unwanted physical contact including touching, kissing, patting and pinching;
- unwelcome flirtation, sexual remarks, invitations or requests whether indirect or explicit; and
- use of inappropriate or derogatory sexual terms.

Sexual Abuse

Abuse implies that a person offends another person's rights. By sexual abuse we mean to trick or coerce a person into a sexual act the person does not want, or is not sufficiently mature to consent to. Such abuse may be punished in accordance with the Penal Code, which also defines sexual abuse in varying stages of seriousness.

This type of abuse may include, but not be limited to:

- showing of pornography
- indecent exposure
- groping
- sexual penetration

Reprisal

Reprisals or threats of reprisal are an aggravating factor in any situation involving harassment, particularly where the reprisal or threat of reprisal is by a person in authority.

Examples of reprisal include:

- acts of retaliation designed to punish an individual who has reported discrimination or harassment; and b) threats of retaliation designed to dissuade an individual from reporting discrimination or harassment.
- In sexual harassment situations, reprisals can also include:
- acts of retaliation to punish an individual who has rejected sexual advances; and
- threats of retaliation if sexual advances are rejected.

For the purpose of these guidelines, the making of a deliberately groundless complaint shall also be deemed a reprisal.

Condonation

If a person in authority knows, or should reasonably have known, that harassment or sexual abuse may have occurred and fails to take appropriate action, the person in authority has condoned the action and may be subject to sanctions under these guidelines.

**What is not considered harassment:**

- Reasonable action or conduct by an IFF person in authority that is part of his/her normal function, even if there are possible unpleasant consequences (e.g., disciplinary action, performance management, changes to schedules or duties, implementation of policies, etc.).
- Differences of opinion or disagreements between co-participants

1.4. Prevention and Intervention

Prevention and intervention are key to achieving a work and sport environment free of discrimination and harassment. The IFF must present a positive role model. IFF participants should communicate the IFF's objective to create and maintain a work and sport environment free of discrimination and harassment and are expected to intervene when it appears that discrimination or harassment may have occurred.

It is of vital importance that those in authority:

- set and communicate non-discriminatory performance standards, selection criteria, rules and regulations to all participants;
- be consistent in taking any corrective or punitive action without discrimination based on prohibited grounds or harassment; and
- use non-discriminatory terminology; address individuals by name and avoid the use of derogatory slang or offensive terms.

Integrity Officer

The IFF will appoint an individual designated as the IFF Integrity Officer for the purpose of these guidelines. The role of the Integrity Officer shall be:

- to receive information about reports brought forward relating to discrimination and harassment
- to facilitate the process for bringing forward reports
- to provide support to individuals who have questions or concerns about the application of these guidelines
- to report on a regular basis to the Ethics Committee and the Central Board

Duty to Report

All IFF participants are expected to promptly report any behaviour of which they become aware, which may constitute harassment or discrimination, as set out below. This includes situations where discrimination or harassment is suspected or rumoured, appreciating that individuals who experience discrimination or harassment are often reluctant to report it.

There is no duty to report in cases where the individual that has been harassed/discriminated could or would be put at risk by reporting and/or does not want the case to be disclosed on reasonable grounds. To protect the sport, IFF and other individuals in the future it should always be tried to make a report.



Receiving Reports

Reports of suspected discrimination or harassment may be made to the IFF Integrity Officer, the Secretary General, the President, or to any other person in authority within the IFF.

All such reports shall be brought promptly to the attention of the Integrity Officer & Secretary General by whoever receives the report (except when the report implicates one of them, in which case it will be brought to the attention of the other, or in the case where both are implicated then to the President).

Any reports arising from the conduct of a participant (athlete, official or volunteer) at an IFF event shall also be promptly brought to the attention of the Jury Chair unless the complaint involves the conduct of the Jury Chair.

2. Complaint Procedure

2.1. Assistance to Complainants

A complainant may request the assistance of the Integrity Officer in understanding these guidelines, in pursuing resolution short of lodging a complaint if appropriate, and in formulating the written complaint.

Should a complainant choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the complainant's own expense.

2.2. The Complaint

Although anyone may report discrimination or harassment, a complaint may be made only by (i) persons affected by the alleged discrimination or harassment, (ii) the Secretary General or the Integrity Officer, on behalf of the IFF.

A complaint shall be in writing, and signed by the complainant, or by the Secretary General or Integrity Officer (as applicable), if the complaint is brought on behalf of the IFF. The complaint shall be submitted to the Secretary General &/or the Ethics Commission Chair, and a copy shall be provided to the Integrity Officer.

The complaint should include particulars of the discrimination or harassment, including details of the incident or incidents, including dates, times, locations, description of action, account of dialogue, the name of the alleged perpetrator(s) and any witnesses or names of other individuals who may also have experienced discrimination or harassment. The complaint should detail any corrective action taken to date.

The parties to a complaint are the IFF, the respondent(s) and the complainant(s), if any. Where there is a complainant, the complainant may withdraw the complaint at any time. However, such a complaint may be continued as a complaint by the Secretary General on behalf of the IFF, if the



IFF does not consent to the withdrawal.

2.3. Processing the Complaint

The person responsible for processing the complaint (hereinafter the “IFF Official”) may vary, as follows:

- a) where a complaint involves conduct by an employee of, or person under contract to, IFF other than the Secretary General, the IFF Official shall be the Secretary General; and
- b) in all other cases, the IFF Official shall be the Ethics Commission Chair (or where a complaint involves conduct by the Ethics Commission Chair, an alternate member of the Ethics Commission). The Ethics Commission Chair or, in the case of a complaint involving the Ethics Commission Chair, the alternate, may delegate part or all of the Ethics Commission Chair (or alternate’s) responsibilities under these guidelines to the Secretary General, except where a complaint is by or against the Secretary General

2.4. Complaint Investigation

The IFF Official may decide not to deal with a complaint: a) if in the opinion of the IFF Official, the facts alleged in the complaint would be insufficient, if proven, to establish discrimination or harassment under the IFF Policy and these guidelines; or b) if in the opinion of the IFF Official, the investigation of the complaint would not advance the purpose of the IFF Policy in the circumstances, either because of an impossibility to investigate case due to significant delay between the alleged events and the time of the complaint or for any other reason. The IFF Official must in writing provide the reasons for the decision not to deal with it or why it is not possible or makes no sense.

If the IFF Official decides not to deal with the complaint, the complainant can in accordance with the IFF Juridical regulation make an Appeal to have the case dealt with to the IFF Appeal Committee.

In all other cases, the IFF Official shall investigate the complaint or appoint and provide terms of reference to an investigator who shall investigate the complaint and make findings of fact.

Before the investigation begins, the IFF Official shall advise each respondent of the complaint and shall provide each complainant and respondent a copy of the written complaint, of the IFF Policy and these guidelines, and of the investigator’s terms of reference, if any.

Before the investigation report is issued, each respondent shall have a reasonable opportunity to respond to the allegations. If a respondent declines to do so, or does not respond within the time-frame provided, the investigator’s report may nonetheless be issued. A respondent may rely on any legal defenses recognized under applicable human rights law.

All IFF participants, including the respondent(s), must co-operate fully in any investigation under these guidelines.

The IFF Official may consult with the investigator during the course of the investigation, may review the investigation report in draft and may provide additional terms of reference to, or request clarification from, the investigator.



The Jury Chair shall be consulted throughout any investigation involving conduct at an IFF event unless the complaint involves conduct by the Jury Chair.

A copy of the investigation report shall be provided to the IFF, complainant(s) and the respondent(s) and to the Jury Chair if the complaint involves conduct at an IFF event.

2.5. Assistance to Respondents

A respondent may request the assistance of the Integrity Officer in understanding these guidelines. Should a respondent choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the respondent's own expense.

2.6. Determinations Following Investigation

The IFF Official shall determine whether discrimination or harassment has been established in light of the findings of fact contained in the investigation report, and if so, the nature and particulars of the discrimination and/or harassment. The IFF Official's determinations shall be communicated to the IFF, the complainant(s), the respondent(s) and the Integrity Officer, and to the Jury Chair if the complaint involves conduct at an IFF event.

2.7. Settlement

A complaint may be settled at any stage. A resolution agreement should be in writing and signed by all parties. A copy of the resolution agreement will be provided to the Integrity Officer and to the IFF.

2.8. Mediation

The IFF may provide a mediator, if the IFF Official views mediation as appropriate and if the complainant and respondent are willing to enter a mediation agreement.

2.9. Sanctions

The IFF Official shall have the authority to impose sanctions, if warranted. When the complaint arises from conduct at an IFF Event the IFF Official shall consult with the Jury Chair before imposing sanctions, unless the complaint involves conduct by the Team Head of Delegation.

The IFF, complainant(s) and the respondent(s) shall be given a reasonable opportunity to make submissions to the IFF Official prior to the imposition of sanctions.

Sanctions may include, but are not limited to:

- a) the issuance of a warning and/or reprimand;
- b) the imposition of such temporary or permanent conditions on continued employment with IFF, or participation in IFF activities as the IFF Official may view as appropriate;
- c) temporary suspension from employment or contract with IFF (with or without pay), or from participation in some or all of the activities over which the IFF has jurisdiction including the



Olympic or any Multi-Sport Games (hereinafter collectively referred to as “IFF activities”); and/or

- d) a recommendation that a person’s membership be revoked in accordance with the by-laws of the IFF or, in the case of a IFF employee or contractor, termination of employment or contract

The IFF Official shall provide the complainant(s) with such information about any sanctions imposed as is appropriate in the circumstances. The IFF and the Integrity Officer will be advised of sanctions imposed.

Should any sanction that the IFF Official views as appropriate require a resolution to be passed by the IFF Board of Directors, the IFF Official shall take such action as is appropriate to have the matter placed before the Board for its consideration, but the matter will not be considered prior to any appeal or expiration of right to appeal under these guidelines.

2.10. Interim Measures

The IFF Official may impose interim measures pending the investigation and disposition of a complaint, if the IFF Official is of the view that the imposition of such measures is in the best interest of the complainant(s), respondent(s) and/or IFF.

Interim measures are not sanctions, and they may take many forms, including but not limited to:

- a) the imposition of conditions upon the continued participation of the respondent(s) in the activities or work of the IFF;
- b) suspension of the respondent(s) from participation in the activities or work of the IFF, with or without pay in the case of employees, or under such other terms as are seen to be appropriate; and/or
- c) security arrangements.

The IFF and the Integrity Officer shall be informed of any interim measures.

The IFF Official shall consult with the Jury Chair before the imposition of interim measures which may have an impact on any participant at an IFF event.

3. Appeals

An appeal under these guidelines will be heard and determined by the IFF Appeal Committee. None of the persons hearing the Appeal shall have had prior involvement in the matter.

3.1. Grounds for Appeal by Respondents

A respondent may appeal the IFF Official’s determination (s) on the following grounds only:

- a) that the investigation was conducted in an unfair or biased manner contrary to the rules of natural justice; or
- b) that the findings of fact contained in the investigation report are insufficient to support a determination that discrimination or harassment has been established.

In an appeal by the respondent from the IFF Official's determination(s), the complainant shall be entitled to participate as a respondent in the appeal.

A respondent may also appeal from the sanction(s) imposed or recommended following a complaint. In such an appeal, the complainant shall be advised by the IFF Official that an appeal has been filed, and shall be entitled to make written representations, but shall not be entitled to participate as a respondent in the appeal. There shall be no appeal from any finding of fact contained in the investigation report.

3.2. Grounds for Appeal by Complainants or the IFF

A complainant or the IFF may appeal the IFF Official's determination(s) on the following grounds only:

- a) that the investigation was conducted in an unfair or biased manner contrary to the rules of natural justice; or
- b) that the findings of fact contained in the investigation report ought to have resulted in a determination that discrimination or harassment has been established.

In an appeal by the complainant or the IFF from the IFF Official's determination(s), the respondent shall be entitled to participate as a respondent in the appeal.

A complainant or the IFF may also appeal the IFF Official's decision not to deal with a complaint. In such a case, the respondent shall not be identified in the appeal and shall not be entitled to participate as a respondent in the appeal.

There shall be no appeal from any finding of fact contained in the investigation report.

3.3. Notice of Appeals

The notice of appeal must be made in writing to the IFF Secretary General, within fourteen days of the appellant receiving notice of the IFF Official's decision with respect to sanctions, and must state the specific grounds for the appeal.

A copy of the notice of appeal shall be promptly provided to the President, the IFF Official, the Integrity Officer, the Chef of Mission/Team Leader if the appeal involves conduct at Games, and to every person entitled to participate as a respondent in the appeal.

3.4. The Hearing

The following persons may appear before the Appeal Committee at its in-camera hearing and make representations in the appeal:

- a) the IFF;
- b) the appellant(s);
- c) any person entitled to participate as a respondent in the appeal;
- d) the IFF Official who may make representations with respect to the investigation of the appeal, the determinations and any sanctions imposed and/or recommended;
- e) the Chef de Mission/Team Leader who may make representations where the appeal involves conduct at the Games; and f) any other person invited by the Appeal Committee to

make representations

No member of the Appeal Committee having had any prior involvement in the complaint, or who is otherwise in conflict of interest, shall participate in the deliberations or decision in the appeal.

3.5. Disposition of an Appeal

The Appeal Committee's deliberations shall take place in camera. No other person shall be present during the deliberations.

The Appeal Committee, by a majority of votes cast, may:

- a) dismiss the appeal;
- b) substitute its own determination for the determination under appeal;
- c) substitute a sanction for the sanction under appeal; or
- d) remit the complaint for further investigation and/or for re-determination in accordance with its directions

The Appeal Committee shall provide reasons for its disposition. Minority and dissenting reasons may also be provided.

A copy of the reasons shall be provided to the IFF, appellant, to any respondent in the appeal, and to the Chef de Mission/Team Leader if the appeal involves conduct at Games. In an appeal from sanctions, the IFF Official shall give the complainant(s) such information about the disposition of the appeal as is appropriate in the circumstances.

4. Published Summaries

It is desirable to publish a summary of each decision and the reasons for disposition on a timely basis and when this is done, it shall be in such a form as to protect the identities of individuals involved.

5. Record Keeping

The Secretary General shall keep a secure record of every report and complaint under these guidelines. The record shall contain all relevant documentation, including:

- a) details of the report(s) and/or a copy of the complaint(s);
- b) the response(s), if any;
- c) the terms of reference of the investigator, if any;
- d) the interim measures, if any;
- e) any witness statements;
- f) the investigation report, if any;
- g) the terms of any informal resolution or written resolution agreement;
- h) the IFF Official's determinations, if any;
- i) the sanctions imposed, if any;
- j) all other correspondence;



- k) any appeal(s) filed;
- l) any material filed in an appeal; and
- m) any minutes of the IFF Board of Directors

Material sources: *International Olympic Committee; Canadian Olympic Committee; Norwegian Olympic and Paralympic Committee and Confederation of Sports*