

Antidiscrimination / Harassment Procedures

Complaints Process

When a violation or suspected violation occurs, any person knowing of this will:

- Notify the commodore and vice commodore in writing. If either is implicated, notification may go to the secretary and treasurer as alternatives.
- The commodore will be responsible to ensure the organization's process for handling the complaint is understood by the complainant and all relevant parties
- The commodore, or SCOW officer with whom the complainant feels most comfortable discussing the situation with shall obtain and record a full, step-by-step account of the incident and ascertain the complainant's preferred outcome, e.g. an apology, removal from the listserve, etc. The preferred outcome is for informational purposes and is in no way guaranteed. During this discussion, the following will happen:
 - Agree on the next step: informal resolution or formal investigation
 - Keep a confidential record of all details of this discussion and subsequent steps in the process which will only be available to the club officers, directors, and those involved in the investigation.

Informal Resolution

Informal resolution can be highly effective; and, it is the timeliest method for resolving conflict because it deals directly with the individuals involved. However, SCOW in no way requires that informal resolution is conducted if the victim or observer of the transgression is uncomfortable to any degree with doing so. To be clear, informal resolution is voluntary.

When participating in informal grievance resolution as a complainant:

- Be clear about what your complaint or grievance is.
- To clarify your thoughts, it can be helpful to describe in writing exactly what was said or done that caused you to suspect discrimination or harassment.
- Address the issue with the person, being specific about the words or behavior that caused you to suspect discrimination.
- Ask the person to stop saying or doing what you have described. It is a good idea to ask someone to be present as a witness to this conversation

When participating in informal grievance resolution as an alleged violator:

- Listen to the complainant.
- Be clear about what your response is. To clarify your thoughts, it can be helpful to describe in writing your response to the allegation.
- Be open minded as to possible resolutions.
- Remember that we are a diverse club and we want all to feel welcome regardless of their race, religion, sex, or sexual orientation.

Following a complainant's decision to participate in an informal process, the commodore or his/her nominee will:

- Receive a written letter from the complainant to be given to the alleged violator.
- Inform the alleged violator of the complaint and provide an opportunity for the alleged violator respond in writing to the complainant.
- Ensure both parties understand their rights and responsibilities under SCOW's policy.
- Aid in setting up a date, time, and meeting place for the complainant and alleged violator to meet.
- Provide a witness for the meeting, if requested by either party.
- If required, provide someone to assist in mediating an outcome that is satisfactory for the complainant and agreed to by the alleged violator.
- Ensure that confidentiality is maintained.

Formal Investigation

If a formal investigation is requested by the complainant, or if an informal resolution fails, the commodore will arrange for a formal investigation. This will be conducted by a 1-3 person team made up of either board members, club members, or if the board deems the club unable to handle the investigation, professionals with experience in this

area. The complainant and alleged violator will be able to suggest their preferences for which members are involved in the process. Requests will be considered and given much weight but the final decision will be that of the officers.

That person team will:

- Interview all directly concerned, separately
- Interview witnesses, separately
- Keep records of the interviews and investigation
- Ensure confidentiality and minimize disclosure
- Make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of harassment / discrimination (as defined by SCOW) has occurred
- Write up a report including the evidence and conclusion of the investigation.
- Present their report to the board at the next board meeting. To protect those involved, attendees who are not on the board may be asked to leave the meeting for this part of the meeting.
- The board will vote and decide whether to accept the report or request additional actions such as further investigation.

If a violation is found, an officer will ask the violator to suggest a disciplinary action or consequence that is appropriate for the violation. This consequence will be presented to the complainant. If this consequence is agreed to then the violator will take that action voluntarily and there will be no further action on behalf of the board. If this consequence is not agreed upon, an officer will ask the complainant to propose a consequence. This consequence will be presented to the violator. If this consequence is agreed to then the violator will take that action voluntarily and there will be no further action on behalf of the board.

If there is no agreement, then the consequence will be decided at either the next board meeting or a special meeting called for this purpose. SCOW's processes for disciplinary action, as described in the bylaws will be followed.

- To determine the consequence, the board will look at the impact of the action and the potential for re-occurrence, the intent of the harasser will not be given consideration. As SCOW policy states that we strictly prohibit harassment and discrimination, all incidents deemed to constitute harassment and/or discrimination will have some form of punitive action.
- Minutes from meetings discussing violations of the Antidiscrimination and Harassment Policy as well as any reports will not be made publicly available to protect the privacy of those involved
- Where it cannot be determined by the investigation that an incident/incidents of discrimination or harassment as defined by the policy has occurred, the board may still take action to ensure the club is properly functioning, but these actions should not prejudice any party.

SCOW has no formal appeals process but will consider this on a case by case basis.