



Whistleblower Policy

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PURPOSE

1. The purpose of this Policy is to allow Workers to have a discreet and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

APPLICATION

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Governors or by other Workers.
3. Incidents of wrongdoing or misconduct observed or experienced by Organizational Participants or other individuals not employed or contracted by Curling Canada can be reported in accordance with Curling Canada's *Discipline and Complaints Policy* and/or reported to Curling Canada's Board or Chief Executive Officer to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or any other relevant and applicable Curling Canada policy.
4. Matters reported under the terms of this Policy may be referred to be heard under Curling Canada's *Discipline and Complaints Policy*.

WRONGDOING

5. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Breaching of Curling Canada's *Code of Conduct and Ethics*;
 - c) Breaching Curling Canada's policies for workplace violence and harassment;
 - d) Committing or ignoring risks to the life, health, or safety of an Organizational Participant, Worker, or other individual;
 - e) Directing an Organizational Participant or Worker to commit a crime, serious breach of a policy of Curling Canada, or other wrongful act; or
 - f) Fraud.

PLEDGE

6. Curling Canada pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.
7. Any Organizational Participant affiliated with Curling Canada who breaks the above-referenced pledge will be subject to disciplinary action pursuant to Curling Canada's *Discipline and Complaints Policy*.

REPORTING WRONGDOING

8. A Worker who believes that a Governor or 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).

REPORTS

9. Reports of wrongdoing shall be made by a Worker to Curling Canada's Independent Third Party.
10. At the discretion of the Independent Third Party, any violation of this Policy that may be considered "Prohibited Behaviour" or "Maltreatment" (defined in the UCCMS and/or the Code of Conduct and Ethics Policy) when the Respondent is an Organizational Participant who has been designated by the Organization as a UCCMS Participant, will be directed to the Office of the Sport Integrity Commissioner ("OSIC"), subject to the rights of the Organization as set out in the Code of Conduct and Ethics and any applicable workplace policies.
11. A Worker who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Independent Third Party for informal advice about the process.
12. After receiving the report, the Independent Third Party has the responsibility to:
 - a) Assure the Worker of Curling Canada's Pledge
 - b) Determine if the report is frivolous, vexatious, or submitted in bad faith¹
 - c) Determine if Curling Canada's *Whistleblower Policy* applies or if the matter should be handled under Curling Canada's *Discipline and Complaints Policy*
 - d) Determine if the local police service be contacted

¹ For a report to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Worker and that there was an intention to mislead.

- e) Determine if mediation or alternate dispute resolution can be used to resolve the issue
- f) Determine if Curling Canada's Chief Executive Officer should or can be notified of the report
- g) Begin an investigation and produce a report in accordance with the *Code of Conduct and Ethics Policy*.

INVESTIGATION

13. 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, Curling Canada 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.

DECISION

14. Within fourteen (14) days after receiving the investigator's report, Curling Canada's 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 Curling Canada's Bylaws, provincial employment legislation, any relevant and applicable Curling Canada policy, and/or the Worker's Employment Agreement or Contractor Agreement.

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

16. Decisions made under the terms of this Policy may be appealed under the terms of Curling Canada's *Appeal Policy* provided that:

- a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal; and
- b) If the Governor or Worker against whom the initial report was submitted is appealing the decision, the Worker or Governor understands that the identity of the Worker who submitted the report will not be revealed and that Curling Canada will act as the Respondent

CONFIDENTIALITY

17. 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

Organizational Participant who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

PRIVACY

18. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Curling Canada's Privacy Policy.
19. Curling Canada or any of its delegates pursuant to this Policy (i.e., Independent Third Party, investigator), shall comply with Curling Canada's Privacy Policy in the performance of their services under this Policy.

DEFINITIONS

20. The following terms have these meanings in this Policy:
 - a) **Governor** – An individual appointed or elected to Curling Canada's Board of Governors
 - b) **UCCMS** - *Universal Code of Conduct to prevent and address Maltreatment in Sport*, as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC)
 - c) **Organizational Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of the Organization who are subject to the policies of the Organization, as well as all people employed by, contracted by, or engaged in activities with, the Organization including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, Athlete Support Personnel, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
 - d) **Worker** – An individual who has signed an Employment Agreement or Contractor Agreement with Curling Canada

