

OWN THE PODIUM (“OTP”) Whistleblower Policy

Definitions

1. Terms have the following meaning in this Policy:
 - a) **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, volunteers, managers, administrators, committee members, and Directors and Officers.
 - b) **Worker** – Any person who performs work for OTP including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors
 - c) **Wrongdoing** – Unethical, illegal, or fraudulent conduct committed by a Worker or a Director

Application

2. This Policy only applies to Workers who perceive or experience Wrongdoing committed by Directors or other Workers.
3. Any violation that may be considered “Prohibited Behaviour” or “Maltreatment” (defined in the UCCMS and/or the Code of Conduct and Ethics) when the Respondent is an Organizational Participant who has been designated by OTP as a UCCMS Participant, will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”), subject to the rights of the OTP as set out in the *Code of Conduct and Ethics* and any applicable workplace policies. .

Policy and Purpose

4. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can report incidents of perceived Wrongdoing in the workplace without fear of unfair treatment or reprisal.
5. OTP pledges not to dismiss, penalize, discipline, 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. Any individual affiliated with OTP who breaks this pledge will be subject to disciplinary action.

Reporting procedure

6. A Worker who believes that another worker has committed an incident of Wrongdoing should

prepare a report that includes the following:

- Written description of the act or actions that comprise the alleged Wrongdoing, including the date and time of the action(s);
- Identities and roles of other individuals or workers (if any) who may be aware of, affected by, or complicit in, the Wrongdoing;
- Why the act or action should be considered to be Wrongdoing; and
- How the Wrongdoing affects the Worker submitting the report (if applicable).

7. OTP has appointed the following OTP Resource Person to receive reports made under this Policy:

Dennis Blinn
Vice President of Partnerships, Finance and Administration
dennis.blinn@ownthepodium.org
613.850.4867

8. After receiving the report, the OTP Resource Person has the responsibility to:

- Assure the Worker of OTP's pledge against reprisal;
- 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 OTP and/or the content of the report;
- 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);
- Determine if OTP's *Whistleblower Policy* applies or if the matter should be handled under OTP's *Discipline and Complaints Policy*;
- Determine if the local police service should be contacted;
- Determine if mediation or alternative dispute resolution can be used to resolve the issue;
- Determine if OTP's Chair and/or CEO should or can be notified of the report; and
- Begin an investigation.

9. If the Worker making the report feels that the OTP Resource Person is unable to act in an unbiased or discrete manner due to that person's role with OTP and/or the content of the report, the

Worker should contact the following Alternate Liaison who will act as an independent liaison between the Worker and the OTP Resource Person:

Sport Law

OmbudsOffice@sportlaw.ca

10. The Alternate Liaison will not disclose the Worker's identity to the OTP Resource Person or to anyone affiliated with OTP without the Worker's consent. 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 advice about the process.

Annual Reporting

11. The OTP Resource Person and Alternate Liaison will provide annual statistical report of any reports involving possible incidents of Wrongdoing received under this Policy and any corresponding actions taken. These reports shall be anonymized and not include any personal identifying information, but will may include the number of reported incidents of Wrongdoing and statistics regarding the outcome of these reports.

Investigation

12. The OTP Resource Person, in consultation with the Alternate Liaison (when applicable), may determine that an investigation should be launched, and the OTP Resource Person may decide to contract an external investigator. In such cases, OTP's CEO and/or Chair shall be notified (except in the case where the Chair and/or CEO are implicated) that an investigation conducted by an external investigator is necessary *without* the nature of the investigation, content of the complaint or report, or identity of the individual who submitted the report being disclosed. OTP's CEO and/or Chair may not unreasonably refuse the decision to contract an external investigator.
13. An investigation should generally take the following form:
 - Follow-up interview with the Worker who submitted the report;
 - Identification of staff, participants, volunteers, Directors, or other individuals that may have been affected by the wrongdoing;
 - Interviews with such-affected individuals;
 - Interview with the Director or Worker against whom the report was submitted; and
 - Interview with the supervisor(s) of the Director or Worker against whom the report was submitted, if applicable.

14. 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, OTP 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.
15. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to OTP's Chair and/or CEO for review and action.

Action

16. Within fourteen (14) days after receiving the Investigator's Report, OTP's Chair and/or CEO will take corrective action, as required. Corrective action may include, but is not limited to including:
 - Contacting the local police service;
 - Enacting and/or enforcing policies and procedures aimed at eliminating the Wrongdoing or further opportunities for Wrongdoing;
 - Revision of job descriptions; and
 - Discipline, suspension, termination, or other action as permitted by OTP's Bylaws, OTP's Policy Manual, applicable employment standards legislation, and/or an Employment Agreement, Contractor Agreement, or Director Agreement (as applicable).
17. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.

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