

Assiniboia Downs Code of Conduct and Procedures

At Manitoba Jockey Club Inc. (“Assiniboia Downs”), we are committed to providing a safe and respectful work environment for all trainers, owners, contractors, subcontractors attending at Assiniboia Downs. Assiniboia Downs does not tolerate harassment, violence, or discriminatory practices.

Scope:

This Code of Conduct applies to all trainers and owners who the Horsemen’s Benevolent and Protective Association (“HBPA”) represent at Assiniboia Downs, including contractors, subcontractors and employees of such individuals, while on Assiniboia Downs property (“race participants”).

1. Responsibilities

All race participants have a responsibility to create and maintain an environment at Assiniboia Downs free from harassment, violence and discrimination. Therefore, no race participant shall cause or participate in harassment, violence or discrimination of another individual.

2. Harassment

2.1 Defining Harassment

Harassment is defined as any objectionable or offensive conduct, comment or action directed at a person or group of persons that degrades, demeans, humiliates or embarrasses and that a reasonable person should have known would be unwelcome, thus creating an uncomfortable, hostile and/or intimidating environment, such as

- written or verbal abuse, condescending remarks, threats, and patronizing comments that are humiliating, demeaning or threatening or undermines self respect
- reprimanding and belittling an individual publicly or misuse of authority
- threats to one’s working conditions or personal security
- dismissive gesture or comments or isolating an individual or refusing to work with an individual without justifiable reasons
- practical jokes that cause awkwardness or embarrassment that endanger race participant’s safety
- spreading rumours or gossip about another individual

Harassment may be a one-time event or a series of incidents and may also exist systemically as part of the work environment.

2.2 Sexual Harassment

Sexual harassment is harassment of a sexual nature and includes any type of sexually-related conduct, comment or gesture whether intentional or not, that is unwelcome, offensive or unsolicited and has the

purpose or effect of creating an environment that is hostile, offensive or uncomfortable. Examples of sexual harassment include but are not limited to:

- unwelcome sexual jokes, language, advances or propositions
- written or verbal abuse of a sexual nature, sexually degrading or vulgar words to describe an individual
- the display of sexually suggestive or pornographic objects, pictures, posters or cartoons
- unwelcome comments or taunting about an individual's body, size, attire, sex or sexual orientation
- inquiries or comments about a person's sex life or sexual preference
- sexual assault or unwelcome touching, leering, whistling, brushing against the body, pinching, patting, kissing or suggestive, insulting or obscene comments or gestures
- demanding sexual favors in exchange for favorable assignments, promotions, or continued work or promise of the same
- refusing to work with or have contact with other employees because of their sex, gender, gender identity, gender expression or sexual orientation

2.3 What is not Harassment?

Harassment is not two or more race participants bantering back and forth if everyone involved is in agreement. Further, race participants flirting with each other, or becoming involved in a romantic or sexual relationship is not harassment as long as the relationship is consensual.

3. Violence

3.1 Defining Violence

Violence is defined as the attempted or actual exercise of physical force against a person and any threatening statement or behavior that gives anyone reason to believe that physical force will be used against them.

4. Discrimination

4.1 Defining Discrimination

Discrimination is defined as the differential treatment or failure to accommodate on one or more of the protected characteristics under *The Human Rights Code* (Manitoba) or harassment based on one or more protected characteristics.

5. Procedures Applying to Complaints of Harassment, Violence and/or Discrimination

5.1 Complaint Procedure

If a race participant believes that they have been subject to conduct contrary to this Code of Conduct, the race participant should tell the alleged offender that they find the behaviour offensive and unwelcome. This can be done in person or in writing.

If the race participant does not feel comfortable speaking to the alleged offender, it is not appropriate given the offending conduct, or if the offending conduct does not stop, the race participant has the option of making a complaint to Assiniboia Downs' Security Manager. In cases where the complaint involves the Security Manager, the complaint can be communicated to the Chief Executive Officer (in either case, the "Complaint Advisor").

The Complaint Advisor will then determine appropriate next steps, which may include a mediated process or a meeting to discuss and try and reach a resolution between the parties.

In the case of violence, a report should be made to the Complaint Advisor as soon as possible. The Complaint Advisor will then determine whether any interim steps need to be taken to protect the health and safety of race participants and any other individuals possibly at risk.

At the discretion of the Complaint Advisor, they may also choose to conduct an investigation into the subject matter of the complaint, which investigation may include the following steps:

- Interviews with the complainant and alleged offender(s);
- Interviews with or receipt of written submissions from potential witnesses to the incident complained of; and
- The collection and review of other relevant evidence.

Once the investigation is complete, the Complaint Advisor will provide a written report summarizing the findings and conclusions reached as to whether this Code of Conduct was breached. Such written report will be provided to management, who will then determine what corrective action, if any, will be taken. The outcome of the investigation will be communicated to the complainant and alleged offender(s).

Further, at the sole discretion of Assiniboia Downs, and depending on the parties involved and allegations made, the investigation may be referred to an external, independent investigator, which investigator will investigate the complaint in accordance with the above steps.

5.2 Outcomes

Violations of this Code of Conduct may result in actions ranging from awareness training up to and including a permanent ban from Assiniboia Downs property and racing.

If the investigation does not find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of any of the parties involved and no repercussions will occur for the person filing the complaint, if the complaint was filed in good faith.

All complaints will be taken seriously, but race participants should remember that frivolous or unfair complaints are disruptive and unacceptable. Any race participant who is found to have filed a complaint that is considered frivolous, or that was filed with malicious intent, will be subject to negative consequences.

5.3 Retaliation

Retaliation of any kind against a race participant who files a complaint hereunder is strictly prohibited and will not be tolerated. Retaliation may also be considered a form of harassment.

Regardless of the outcome of a complaint made in good faith, retaliation or reprisals against the complainant, as well as anyone providing information, is not acceptable, will be investigated and may be the subject of negative consequences, including a permanent ban from Assiniboia Downs property.

6. Conclusion

It is the responsibility of each and every race participant to ensure Assiniboia Downs is free of harassment, discrimination and violence. Thus, race participants must not only abstain from harassment, discrimination and violence, but they must actively contribute to maintaining a race environment free of harassment, discrimination of violence, and comply at all times with this Code of Conduct. Failure to do so may result in negative consequences, up to and including permanent banning from Assiniboia Downs property.