

## Code of Conduct and Ethics

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<b>Department:</b>	Human Resources	<b>Section:</b>	Code of Conduct
<b>Effective Date:</b>	January 27, 2023		
<b>Version:</b>	2.0	<b>Replaces:</b>	Harassment Policy

**Approved:**

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Luge Canada Board

### 1 DEFINITIONS

1.1 The following terms have these meanings in this Code:

- a) **"Discrimination"** – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.
- b) **"Event"** – An event sanctioned by Luge Canada or an Organization (as applicable), including any social Events
- c) **"Harassment"** – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
  - i. Written or verbal abuse, threats, or outbursts;
  - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
  - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
  - iv. Leering or other suggestive or obscene gestures;
  - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - vi. Practical jokes which endanger a person's safety, or may negatively affect performance;
  - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
  - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. Deliberately excluding or socially isolating a person from a group or team;
  - x. Persistent sexual flirtations, advances, requests, or invitations;
  - xi. Physical or sexual assault;

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- xii. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
  - xiii. Retaliation or threats of retaliation against a person who reports harassment to Luge Canada.
- d) **“Individuals”** – All categories of membership defined in Luge Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with, Luge Canada including, but not limited to, Registered Participants (as defined in Luge Canada’s Bylaws), athletes, coaches, gonvenors, race officials, volunteers, managers, administrators, committee members, Directors and Officers of Luge Canada, spectators, and parents/guardians of athletes
- e) **“Maltreatment”** – As defined in the UCCMS and as amended from time to time by the SDRCC
- f) **“Minor”** – As defined in the UCCMS and as amended from time to time by the SDRCC
- g) **“Organizations”** – Luge Canada’s provincial/territorial members as well as their affiliated clubs
- h) **“Power Imbalance”** – As defined in the UCCMS and as amended from time to time by the SDRCC
- i) **“Prohibited Behaviour”** – As defined in the UCCMS and as amended from time to time by the SDRCC
- j) **“SDRCC”** – The Sport Dispute Resolution Centre of Canada“
- k) **“Sexual Harassment”** – A course of vexatious comment or conduct against an Individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
- i. Sexist jokes;
  - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
  - iii. Offering a benefit in exchange for a sexual favour;
  - iv. Demanding hugs;
  - v. Bragging about sexual ability;
  - vi. Leering (persistent sexual staring);
  - vii. Sexual assault;
  - viii. Display of sexually offensive material;
  - ix. Distributing sexually explicit messages or attachments such as pictures or video files;
  - x. Sexually degrading words used to describe an Individual;
  - xi. Unwelcome inquiries into or comments about an Individual’s gender identity or physical appearance;
  - xii. Inquiries or comments about an Individual’s sex life;
  - xiii. Persistent, unwanted attention after a consensual relationship ends;
  - xiv. Persistent unwelcome sexual flirtations, advances, or propositions; and
  - xv. Persistent unwanted contact.as defined in the UCCMS and as amended from time to time by the SDRCC
- l) **“UCCMS”** – The Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC

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- m) **“UCCMS Participant”** - An Individual i) who has been designated by Luge Canada, and ii) who has signed the required consent form. For Luge Canada, UCCMS Participants are its athletes, coaches, officials, volunteers, administrators, directors, officers, employees, trainers, parents/guardians.
- n) **“Workplace”** - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, Luge Canada’s office, work-related social functions, work assignments outside Luge Canada’s offices, work-related travel, the training and competition environment, and work-related conferences or training sessions
- o) **“Workplace Harassment”** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
  - i. Bullying;
  - ii. Workplace pranks, vandalism, bullying or hazing;
  - iii. Repeated offensive or intimidating phone calls or emails;
  - iv. Inappropriate sexual touching, advances, suggestions or requests;
  - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - vi. Psychological abuse;
  - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
  - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
  - ix. Sabotaging someone else’s work or performance;
  - x. Gossiping or spreading malicious rumours;
  - xi. Intimidating words or conduct (offensive jokes or innuendos); and
  - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
- p) **“Workplace Violence”** – the use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
  - i. Verbal or written threats to attack;
  - ii. Sending to or leaving threatening notes or emails;
  - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - iv. Wielding a weapon in a Workplace;
  - v. Hitting, pinching or unwanted touching which is not accidental;
  - vi. Dangerous or threatening horseplay;
  - vii. Physical restraint or confinement;
  - viii. Blatant or intentional disregard for the safety or wellbeing of others;

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- ix. Blocking normal movement or physical interference, with or without the use of equipment;
- x. Sexual violence; and

## 2 ANY ATTEMPT TO ENGAGE IN THE TYPE OF CONDUCT OUTLINED ABOVE PURPOSE

- 2.1 The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and Events of Luge Canada by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Luge Canada's core values. Luge Canada supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

## 3 SCOPE AND APPLICABILITY

- 3.1 This Code applies to Individuals' conduct during Luge Canada's business, activities, and Events including, but not limited to, competitions, training, evaluations, treatment or consultations (e.g., massage therapy), training camps, travel associated with Luge Canada's activities, Luge Canada's office environment, and any meetings.
- 3.2 An Individual that violates this Code may be subject to sanctions pursuant to Luge Canada's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Luge Canada's *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the competition.
- 3.3 An employee of Luge Canada found to have breached this Code may also be subject to appropriate disciplinary action subject to the terms of Luge Canada's policies for human resources as well as the employee's Employment Agreement (if applicable).
- 3.4 This Code also applies to Individuals' conduct outside of the business, activities, and Events of Luge Canada when such conduct adversely affects relationships within Luge Canada (and its work and sport environment) and is detrimental to the image and reputation of Luge Canada. Such applicability will be determined by Luge Canada at its sole discretion.
- 3.5 In addition, this Code will apply when the Individuals involved interacted due to their mutual involvement in the sport of luge or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).
- 3.6 This Code applies to Individuals active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Individual was active in the sport.

## 4 UCCMS

- 4.1 Luge Canada has adopted the UCCMS which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the SDRCC shall come into effect immediately upon their adoption by the SDRCC, without the need for any further action by Luge Canada.

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### 5 RESPONSIBILITIES

5.1 Individuals have a responsibility to:

- a) Maintain and enhance the dignity and self-esteem of Luge Canada's members and other individuals by:
  - i. Treating each other with the highest standards of respect and integrity;
  - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, Athlete Support Personnel, officials, organizers, volunteers, employees, or other Individuals;
  - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
  - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
  - v. Consistently treating individuals fairly and reasonably; and
  - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
- b) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination, or any form of Maltreatment or Prohibited Behaviour
- c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- d) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or Events of Luge Canada or while representing Luge Canada or at any such activities or Events;
- e) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event;
- f) In the case of adults, not consume cannabis in the Workplace or in any situation associated with an Event (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where Minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with an Event
- g) Respect the property of others and not willfully cause damage
- h) Promote the sport in the most constructive and positive manner possible
- i) When driving a vehicle with an Individual:
  - i. Not have his or her license suspended
  - ii. Not be under the influence of alcohol, cannabis, illegal drugs or any other intoxicating substances
  - iii. Have valid car insurance
  - iv. Refrain from engaging in any activity that would constitute distracted driving
- j) Adhere to all federal, provincial, municipal and host country laws
- k) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages
- l) Comply, at all times, with Luge Canada's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time, as well as any other sport organization with authority over the Individual, as applicable and as adopted and amended from time to time

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- m) Report any ongoing criminal investigation, conviction, or existing bail conditions involving an Individual to Luge Canada, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal substance or performance-enhancing drug

### 5.2 Directors, Committee Members, and Staff

In addition to section 5.1 (above), Luge Canada's directors, committee members, and staff will have additional responsibilities to:

- a) Function primarily as a director or committee member or staff member of Luge Canada and prioritize the duty of loyalty to Luge Canada and not to any other organization or group while acting in this role
- b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Luge Canada's business and the maintenance of Individuals' confidence
- c) Ensure that Luge Canada's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
- d) Conduct themselves transparently, professionally, lawfully and in good faith in the best interests of Luge Canada
- e) Be independent, impartial, and not let decision-making on behalf of Luge Canada be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
- f) Behave with decorum appropriate to both circumstance and position
- g) Keep informed about Luge Canada's activities, the sport community, and general trends in the sectors in which it operates
- h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
- i) Maintain confidentiality of organizational information
- j) Respect the decisions of the majority and, if unable to adhere to the Organization's *Conflict of Interest Policy*, resign
- k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- l) Have a thorough knowledge and understanding of all Luge Canada's governing documents

### 5.3 Coaches and Athlete Support Personnel

In addition to section 5.1 (above), Luge Canada's Coaches and Athlete Support Personnel have additional responsibilities. Coaches and Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unconsciously. Athlete Support Personnel will:

- a) Avoid any behaviour that abuses the Power Imbalance inherent in the position of the Coach/Athlete Support Personnel.
- b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes.
- c) Prepare Athletes systematically and progressively, using appropriate timeframes and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Athletes.

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- d) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments.
- e) Support the Athlete Support Personnel of a training camp, provincial/territorial team, or national team, should an Athlete qualify for participation with one of these programs.
- f) Comply with all established responsibilities and obligations as set out by the Athlete Support Personnel's professional governing association or order, if any.
- g) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate.
- h) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
- i) Act in the best interest of the Athlete's development as a whole person.
- j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or Prohibited Substances or Prohibited Methods and, in the case of Minors, alcohol, cannabis, and/or tobacco.
- k) Respect competitor Athletes and, in dealings with them, not encroach upon topics or take actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Athletes.
- l) When a Power Imbalance exists, not engage in a sexual or intimate relationship with an Athlete of any age.
- m) Disclose to Luge Canada any sexual or intimate relationship with an athlete over the age of majority and, if requested by Luge Canada, immediately discontinue any coaching involvement with that athlete
- n) Recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Individuals in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of Individuals who are in a vulnerable or dependent position and less able to protect their own rights.
- o) Dress professionally and use appropriate language.

### 5.4 Athletes

In addition to section 5.1 (above), athletes will have additional responsibilities to:

- a) Adhere to their athlete agreement (if applicable)
- b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;

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- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, evaluations, tryouts, and Events
- d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
- e) Adhere to Luge Canada's rules and requirements regarding clothing and equipment
- f) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
- g) Dress to represent the sport and themselves well and with professionalism
- h) Act in accordance with Luge Canada's policies and procedures and, when applicable, additional rules as outlined by coaches, managers, or other Athlete Support Personnel

### 5.5 Officials

In addition to section 5.1 (above), officials will have additional responsibilities to:

- a) Maintain and update their knowledge of the rules and rules changes
- b) Work within the boundaries of their position's description while supporting the work of other officials
- c) Adhere at all times to the rules of their international federation and any other sport organization that has relevant and applicable authority
- d) Place the safety and welfare of competitors and the fairness of the competition above all else
- e) Strive to provide a fair sporting environment, and at no time engaged in Maltreatment or Prohibited behaviour toward any person on the field of play
- f) Respect the terms of any agreement that they enter with Luge Canada
- g) Act as an ambassador of Luge Canada by agreeing to enforce and abide by national and provincial rules and regulations
- h) Take ownership of actions and decisions made while officiating
- i) Respect the rights, dignity, and worth of all Individuals
- j) Not publicly criticize other Individuals, officials or any club or association
- k) Act openly, impartially, professionally, lawfully, and in good faith
- l) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
- m) Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Individuals
- n) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time
- o) When writing reports, set out the actual facts to the best of their knowledge and recollection
- p) Dress in proper attire for officiating

### 5.6 Parents/Guardians and Spectators

In addition to section 5.1 (above), parents/guardians and spectators at Events will:

- a) Encourage athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence
- b) Condemn the use of violence in any form
- c) Never ridicule a participant for making a mistake during a performance or practice
- d) Provide positive comments that motivate and encourage participants' continued effort
- e) Respect the decisions and judgments of officials, and encourage Athletes to do the same
- f) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm

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- g) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
- h) Not harass competitors, coaches, officials, parents/guardians, or other spectators

### 5.7 Organizations

Organizations will:

- a) Adhere to all of Luge Canada's governing documents and, where necessary, amend their own rules to comply or align with those of Luge Canada
- b) Pay all required dues and fees by the prescribed deadlines
- c) Recognize that their websites, blogs and social media accounts may be seen as extensions of Luge Canada and must reflect Luge Canada's mission, vision and values
- d) Ensure that all athletes and coaches participating in sanctioned competitions and events of Luge Canada are registered and in good standing
- e) Appropriately screen prospective employees to help ensure athletes have a healthy and safe sport environment
- f) Ensure that any possible or actual misconduct is investigated promptly and thoroughly
- g) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated
- h) Advise Luge Canada immediately of any situation where a complainant has publicized a complaint in the media (including social media)
- i) Provide Luge Canada with a copy of all decisions rendered pursuant to Luge Canada's policies for complaints and appeals.
- j) Implement any decisions and disciplinary sanctions imposed pursuant to any discipline process of Luge Canada

## 6 ANTI-DOPING<sup>1</sup>

6.1 Luge Canada adopts and adheres to the Canadian Anti-Doping Program. Luge Canada will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules.

6.2 All Individuals shall:

- a) Abstain from the non-medical use of medications or drugs or the Use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force.
- b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of Ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules

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<sup>1</sup> Any capitalized terms used in the *Code of Conduct and Ethics* shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program

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- c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s)
- d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program
- e) All Coaches and Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under Luge Canada's jurisdiction.

### 7 RETALIATION, RETRIBUTION OR REPRISAL

- 7.1 It is a breach of this *Code of Conduct and Ethics* for any Individual to engage in any act that threatens or seeks to intimidate another Individual with the intent of discouraging that Individual from filing, in good faith, a complaint pursuant to any Luge Canada policy. It is also a breach of this *Code of Conduct and Ethics* for an Individual to file a complaint for the purpose of retaliation, retribution or reprisal against any other Individual. Any Individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

### 8 PRIVACY

- 8.1 The collection, use and disclosure of any personal information pursuant to this Policy is subject to Luge Canada's usual privacy policies and practices regarding private and/or confidential information.

### 9 REVISION HISTORY

Noted below is the revision history of this document.

Version	Date	Comments
1	January 31, 2020	
2	January 27, 2023	

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