

## CODE OF CONDUCT, DISCIPLINE AND COMPLAINTS POLICY

### 1. INTRODUCTION

The provisions of this, Code of Conduct, Discipline and Complaints Policy, apply to all categories of membership defined in the Triathlon Canada bylaws as well as individuals employed by, or engaged in activities with Triathlon Canada including but not limited to, registrants, athletes, national team representatives, coaches, support team individuals, officials, volunteers, administrators, directors and officers of Triathlon Canada, spectators at events, and parents/guardians of athletes (hereinafter referred to as 'Stakeholders').

Where there is a complaint regarding a Triathlon Canada employee, disciplinary procedures will be dealt with in accordance with the Human Resources Policy.

Triathlon Canada National Team members shall be made aware of the Code of Conduct and their obligations upon joining National Team programs.

Additional rules of conduct may apply to members of the junior team and the elite team. Members of these teams shall be notified of these rules and expectations in a separate Document, and are required to abide by these rules, provided reasonable notice of the rules are provided to members.

### 2. EXPECTED CONDUCT AND BEHAVIOR AND CODE OF CONDUCT

#### 2.1 Stakeholders shall:

- a) Conduct themselves in the spirit of good sportsmanship
- b) Behave in a responsible, respectful, and courteous manner towards team members, competitors, coaches, staff, officials, volunteers and members of the public while engaged in Triathlon Canada activities, at competitions and while traveling under the banner of Triathlon Canada.
- c) Not commit any act which would be considered an offense under federal or provincial law or the laws of the country in which an event or activity takes place (insofar as they can reasonably be expected to be aware of those laws).
- d) Conduct themselves in a manner consistent with commitment to excellence in athletic competition including respect for quiet hours and appropriate treatment of alcohol.
- e) Respect private property such as accommodation.
- f) Be aware of and abide by the current provisions of doping prohibitions adopted as circulated by CCES and adapted by Triathlon Canada and the International Triathlon Union.

#### 2.2 Contravention of the Code of Conduct may result in any one or more of the following sanctions:

- a) Written reprimand;
- b) Suspension from the current event, competition, or activity where the Code of conduct's breach occurs;

- c) Suspension of membership or participation status of the Stakeholder for a specified period of time;
- d) Fine (financial penalty);
- e) Probationary terms and conditions;
- f) Repeal of any acknowledgements and rescind of awards;
- g) Disclosure of the sanctions.

2.3 Triathlon Canada may use reasonable discretion in interpreting the above.

### 3. DISCIPLINARY PROCEDURE

- 3.1 The Triathlon Canada Board of Directors or its designated representative have the authority in accordance with this section to impose reasonable disciplinary measures on Stakeholders who do not adhere to the Code of Conduct. The possible disciplinary actions are listed in Section 2.2.
- 3.2 Any Stakeholder may report to the Triathlon Canada CEO, in writing, a disciplinary infraction. The Triathlon Canada Board of Directors or its designated representative will have the sole discretion to decide if the infraction is deemed accepted and that the disciplinary process should commence.
- 3.3 When a disciplinary action is being considered, the Stakeholder shall receive notification of the following:
- a) Specific circumstances leading to the consideration of the disciplinary action;
  - b) Steps that can be taken to remedy the situation and a reasonable period of time during which those steps may be taken, if applicable (for example, verbal or written apology, payment of costs);
  - c) Information on the probable penalties.
- 3.4 If a Stakeholder under the age of 18 violates the Code of Conduct, their parents or guardian will be notified.
- 3.5 Except where exceptional circumstances prevail, notification shall be given in writing. In exceptional circumstances, where restrictions of time and place require, notification may be given verbally. Whenever possible the Stakeholder shall be provided an opportunity to present his/her view prior to the decision, either orally or in writing.
- 3.6 Whenever possible, a disciplinary measure should be the result of a decision by a Discipline Committee of three (3) people designated by the Triathlon Canada Board of Directors.
- 3.7 Depending on the nature and severity of the infraction, a hearing may be conducted to deal with the infraction in front of the Discipline Committee. Having regard to the nature of the discipline matter and the potential consequences of any resulting sanctions, the Discipline Committee will decide whether to conduct the hearing by way of review of documentary evidence, oral hearing or a combination of these two methods. If the Committee decides to conduct an oral hearing, it may decide to do so in-person or by means of telephone conference.

- 3.8** The Discipline Committee will govern the hearing as it sees fit, provided that:
- a) The Stakeholder being disciplined will be given 14 days written notice of the day, time and place of the hearing;
  - b) Decisions will be by majority vote;
  - c) Discipline Committee may request that any witness or any other person be present at the hearing or submit written evidence in advance of the hearing; and
  - d) Hearings will be held in private.
- 3.9** In the case of an oral hearing, the Stakeholder being disciplined may be accompanied by a representative and will have the right to present evidence and argument.
- 3.10** After hearing the matter, the Discipline Committee will determine whether or not the Stakeholder has breached the Code of Conduct and, if so, the appropriate penalty to be imposed.
- 3.11** The Stakeholder shall be advised of the decision and reasons therefore promptly, and shall be advised of the appeal process available.
- 3.12** When necessary due to urgency or constraints of time or distance, the Discipline Committee or authorized personnel may issue a written reprimand or suspend a Stakeholder from the current competition without written or verbal notification to the Stakeholder. In such cases, a full written report must be prepared by the committee or person issuing the sanction and submitted to the President of the Board within five days. The appeal process remains available to the Stakeholder.
- 3.13** In all cases of disciplinary action, the penalty imposed shall reflect the seriousness of the offense.
- 3.14** The Stakeholder has the right to appeal a disciplinary action imposed on him/her.

#### **4. CONCERNS AND COMPLAINTS**

- 4.1** If a Stakeholder has a concern or complaint relating to a Stakeholder, he or she shall utilize the process set out in this Part to resolve that issue.
- 4.2** The Stakeholder shall contact the President of his/her provincial association for assistance with the resolution of the problem within twenty-one days (21) after the issue arose. The Stakeholder shall complete and file Form A (or equivalent written explanation of the issue) with the provincial President (or person assigned responsibility by the provincial President for such matters). The provincial President or designate shall endeavor to resolve the issue to the satisfaction of the Stakeholder within thirty days of being contacted.
- 4.3** In the event that the provincial President or designate fails, or is unable, to assist the Stakeholder with the resolution of the problem within 21 days of receiving notice under 4.2, the Stakeholder may contact the President of Triathlon Canada or the CEO of Triathlon Canada directly for assistance with the resolution of the problem. The Stakeholder shall complete and file Form A (or equivalent written explanation of the issue) with the President or CEO. The

President or CEO shall endeavor to resolve the issue to the satisfaction of the member or Individual within thirty days of being contacted.

- 4.4 In the event that the problem cannot be resolved to the satisfaction of the Stakeholder, the President of Triathlon Canada shall appoint a committee of three disinterested Triathlon Canada Board members, on an ad hoc basis, to make a decision or otherwise resolve the issue. This ad hoc committee shall have the same powers as a discipline committee under 2.2.
- 4.5 In developing its recommendations, the ad hoc committee shall:
- a) Allow the Stakeholder the opportunity to supply any additional material he/she considers relevant, within 21 days;
  - b) Forward the Stakeholder's submission to interested (that is, affected) parties and allow them 21 days to respond;
  - c) Allow the Stakeholder a further 14 days to respond to the information received from the interested parties.
- 4.6 The committee may hear oral submissions through a telephone conference all or, if practical, in person.
- 4.7 The committee shall either report the resolution of the matter or report its decision to the President and notify the parties involved.
- 4.8 Where the ad hoc committee determines that sanctions are appropriate, the Stakeholder sanctioned has the right to the appeal process.
- 4.9 The time periods may be abridged by mutual consent.

## **5. ACKNOWLEDGEMENT**

I hereby agree to the above Triathlon Canada Code of Conduct, Discipline and Complaints Policy voluntarily and with a full understanding of the Policy including the consequences outlined therein:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# FORM A

## NOTIFICATION OF CONCERN/COMPLAINT

**TO:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**FROM:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Details of Concern or complaint:**

Please provide date, names, and positions of individuals involved, and description of the circumstances leading to the concern or complaint. Provide names of witness, if any.

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**Relief Sought:**

Please indicate the relief you are seeking, that is, what do you consider appropriate to resolve your concern or complaint.

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**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_