

# TRI THLON MANITOBA

## Code of Conduct and Ethics Policy

Adopted by Board of Directors March 20, 2023

### Definitions

1. The following terms have these meanings in this Code:
  - a) *Athlete* – An individual who is an Athlete Participant in Triathlon Manitoba who is subject to the policies of Triathlon Manitoba
  - b) *Abuse* – Includes Psychological Maltreatment, Physical Maltreatment, Neglect, and/or Grooming of Vulnerable Participants by Persons in Authority and which can have the following warning signs:
    - i. Recurrent unexplained injuries;
    - ii. Alert behaviour; child seems to always be expecting something bad to happen
    - iii. Often wears clothing that covers up their skin, even in warm weather;
    - iv. Child startles easily, shies away from touch or shows other skittish behaviour;
    - v. Constantly seems fearful or anxious about doing something wrong;
    - vi. Withdrawn from peers and adults;
    - vii. Behaviour fluctuates between extremes (e.g., extremely cooperative or extremely demanding);
    - viii. Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums);
    - ix. Acting out in an inappropriate sexual way with toys or objects;
    - x. New adult words for body parts and no obvious source;
    - xi. Self-harm (e.g., cutting, burning or other harmful activities); or
    - xii. Not wanting to be alone with a particular child or young person
  - c) *Bullying* - is offensive behaviour and/or abusive treatment of a Participant that typically, but not always, involves an abuse of power. Examples of behaviour that may constitute Bullying include, but are not limited to:
    - i. Spreading malicious rumours, gossip or innuendos with the intent of causing harm or suffering to a Participant;
    - ii. Excluding or isolating a Participant socially with the intent of causing them harm or suffering;
    - iii. Making offensive jokes or derogatory comments to a Participant or to others;
    - iv. Yelling, verbally berating or using profanity;
    - v. Assigning unreasonable duties or workload which are unfavourable to a

Participant; or

- vi. Any form of cyber bullying which can include:
  - Sending mean or threatening emails or text/instant messages
  - Posting embarrassing photos of someone online
  - Creating a website to make fun of others
  - Pretending to be someone else
  - Tricking someone into sending pictures or videos or revealing personal information
  - Sending personal information (including pictures and videos) about someone else to a third-party
- d) *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
- e) *Harassment* – A course of vexatious comment or conduct against a Participant or group, which is known or ought reasonably to 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;
  - xii. Contributing to a poisoned sport environment, which can include:
    - Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
    - Groups where harassing behaviour is part of the normal course of activities
    - Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
  - xiii. 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

- xiv. Retaliation or threats of retaliation against a person who reports harassment to Triathlon Manitoba
- f) *Individuals* – Refers to all categories of individual members and/or registrants defined in the By-laws of Triathlon Manitoba who are subject the policies of the Triathlon Manitoba, 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, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers of Triathlon Manitoba.
  - g) *Person in Authority* – Any Participant who holds a position of authority within Triathlon Manitoba including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers
  - h) *Vulnerable Participants* – Includes Minors and vulnerable adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority)
  - i) *Workplace* - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, Triathlon Manitoba's office, work-related social functions, work assignments outside Triathlon Manitoba's offices, work-related travel, the training and competition environment, and work-related conferences or training sessions

### **Purpose**

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

### **Application of this Code**

3. This Code applies to Individuals' conduct during Triathlon Manitoba's business, activities, and events including, but not limited to, competitions, practices, evaluations, tryouts, treatment or consultations (e.g., massage therapy), training camps, travel associated with Triathlon Manitoba's activities, Triathlon Manitoba's office environment, and any meetings.
4. An Individual who violates this Code may be subject to sanctions pursuant to Triathlon Manitoba's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Triathlon Manitoba'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 particular competition.

5. An employee of Triathlon Manitoba found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third-party during business hours, or at any Organization event, will be subject to appropriate disciplinary action subject to the terms of Triathlon Manitoba's *Human Resources Policy* as well as the employee's Employment Agreement (if applicable).
6. This Code also applies to Individuals' conduct outside of Triathlon Manitoba's business, activities, and events when such conduct adversely affects relationships within Triathlon Manitoba (and its work and sport environment) and is detrimental to the image and reputation of Triathlon Manitoba. Such applicability will be determined by Triathlon Manitoba at its sole discretion.
7. This Code applies to Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Participant was active in the sport.
8. In addition, breaches of this Code may occur when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).

### **Persons in Authority and Maltreatment**

9. When they are a Person in Authority, Participants are responsible for knowing what constitutes Maltreatment. The categories of Maltreatment are not mutually exclusive, nor are the examples provided in each category an exhaustive list. Rather, what matters for the assessment of the Maltreatment is whether the conduct falls into one or more of the categories, not into which category it falls. Abuse, assault, Harassment, bullying, and hazing can be experienced in more than one category of Maltreatment.
10. Maltreatment can be any of the prohibited behaviours and conduct, provided the Maltreatment occurs in any one or a combination of the following situations (The physical location(s) where the alleged Maltreatment occurred is not determinative):
  - a) Within a sport environment;
  - b) When the Participant alleged to have committed Maltreatment was engaging in sport activities;
  - c) When the Participants involved interacted due to their mutual involvement in sport; or
  - d) Outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Participant.
11. It is a violation of the Code for sport administrators or other Persons in Authority to place Participants in situations that make them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and coach to share a hotel room when traveling, hiring a coach who has a history of Maltreatment, assigning guides and other support staff to a para-Athlete when the guide or support staff has a reputation for Maltreatment or assigning such a guide or support staff to a para-Athlete in the absence of consultation with the para-Athlete.

### **Responsibilities**

12. Individuals have a responsibility to:
  - a) Refrain from any behaviour that constitutes Maltreatment, Discrimination, Harassment, Workplace Harassment, or Workplace Violence.

- b) Maintain and enhance the dignity and self-esteem of Triathlon Manitoba members and other individuals by:
- i. Treating each other with the highest standards of fairness, honesty, respect and integrity;
  - ii. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation;
  - iii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or members
  - iv. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
  - v. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
  - vi. Consistently treating individuals fairly and reasonably; or
  - vii. Ensuring adherence to the rules of the sport and the spirit of those rules

- c) Abstain from the non-medical use of drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Antidoping Agency's Prohibited List currently in force. More specifically, Triathlon Manitoba adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Triathlon Manitoba's *Discipline and Complaints Policy*. Triathlon Manitoba 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, whether imposed by Triathlon Manitoba or any other sport organization
- d) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and/or any other applicable Anti-Doping rules and recognized by the Canadian Centre for Ethics in Sport (CCES).
- e) Reasonably cooperate with the CCES or another anti-doping organization that is investigating anti-doping rule violations.
- f) Not harass, intimidate or otherwise conduct themselves offensively towards a doping control official or other individual involved in doping control.
- g) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- h) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in Triathlon Manitoba's programs, activities, competitions, or events
- i) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or event.
- j) In the case of adults, avoid consuming alcohol or cannabis in the Workplace or in any situation associated with Triathlon Manitoba (subject to any requirements for accomodation), not consume alcohol during training, competitions and situations where minors are present and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with Triathlon Manitoba's events.
- k) Respect the property of others and not wilfully cause damage
- l) Promote the sport in the most constructive and positive manner possible
- m) When driving a vehicle:
  - i. Have a valid driver's license;
  - ii. Not be under the influence of alcohol, cannabis or illegal drugs or substances; and
  - iii. Have valid car insurance; and
  - iv. Refrain from holding a mobile device.
- n) Adhere to all federal, provincial/territorial, municipal and host country laws
- o) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a para-classification, competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- p) Comply, at all times, with Triathlon Manitoba's bylaws, policies, procedures, and rules and regulations, as applicable and as adopted and amended from time to time
- q) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving a Participant to the Organization, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or

prohibited substance or method

**Directors, Committee Members, and Staff**

13. In addition to section 7 (above), Triathlon Manitoba's Directors, Committee Members, and Staff will have additional responsibilities to:
- a) Function primarily as a Director or Committee Member of Triathlon Manitoba; not as a member of any other organization or constituency
  - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Triathlon Manitoba's business and the maintenance of Individuals' confidence
  - c) Ensure their loyalty prioritizes the interests of Triathlon Manitoba
  - d) Ensure that Triathlon Manitoba's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - e) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of Triathlon Manitoba
  - f) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism

- g) Behave with decorum appropriate to both circumstance and position
- h) Keep informed about Triathlon Manitoba's activities, the provincial sport community, and general trends in the sectors in which they operate
- i) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Triathlon Manitoba is incorporated
- j) Respect the confidentiality of private Triathlon Manitoba information
- k) Respect the decisions of the majority and resign if unable to do so
- l) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- m) Have a thorough knowledge and understanding of all Triathlon Manitoba governance documents
- n) Conform to the bylaws and policies approved by Triathlon Manitoba

### **Coaches, Instructors, Trainers, and Athlete Support Personnel**

14. In addition to section 7 (above), coaches, instructors, trainers and athlete support personnel have many additional responsibilities. The coach- athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches, instructors, trainers and athlete support personnel will:

- a) Avoid any behaviour that abuses the Power Imbalance inherent in the coaching position to (i) establish or maintain a sexual relationship with an Athlete that they are coaching, or (ii) encourage inappropriate physical or emotional intimacy with an Athlete, regardless of the Athlete's age
- b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
- c) Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
- 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 coaching staff of a training camp, provincial/territorial team, or national team; should an athlete qualify for participation with one of these programs
- f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate
- g) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
- h) Act in the best interest of the athlete's development as a whole person
- i) Comply with Triathlon Manitoba's *Screening Policy*, if applicable
- j) Report to Triathlon Manitoba any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method
- k) Not coach, train, or otherwise support athletes if they use methods or substances prohibited by the Canadian Anti-Doping Program without valid and acceptable justification
- l) 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



- m) Respect athletes competing for other jurisdictions and, in dealings with them, not encroach upon topics or 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
- n) Not engage in a sexual or intimate relationship with an athlete of any age in which the coach is in a position of power, trust, or authority over the athlete
- o) Disclose to the Organization any sexual or intimate relationship with an athlete over the age of majority and immediately discontinue any coaching involvement with that athlete

- p) Recognize the power inherent in the position of coach and respect and promote the rights of all participants 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 participants who are in a vulnerable or dependent position and less able to protect their own rights
- q) Dress professionally, neatly, and inoffensively
- r) Use inoffensive language, taking into account the audience being addressed

### **Athletes**

15. In addition to section 7 (above), athletes will have additional responsibilities to:
- a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete
  - b) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations
  - c) 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
  - d) Adhere to Triathlon Manitoba's rules and requirements regarding clothing and equipment
  - e) Never ridicule a participant for a poor performance or practice
  - 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 Triathlon Manitoba's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

### **Officials**

16. In addition to section 7 (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) Act as an ambassador of Triathlon Manitoba by agreeing to enforce and abide by national and provincial rules and regulations
  - d) Take ownership of actions and decisions made while officiating
  - e) Respect the rights, dignity, and worth of all individuals
  - f) Not publicly criticize other officials or any club or association
  - g) Assist with the development of less-experienced referees and minor officials
  - h) Conduct themselves openly, impartially, professionally, lawfully, and in good faith in the best interests of Triathlon Manitoba, athletes, coaches, other officials, and parents
  - i) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
  - j) 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
  - k) 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

- l) When writing reports, set out the actual facts to the best of their knowledge and recollection
- m) Dress in proper attire for officiating

### **Parents/Guardians and Spectators**

17. In addition to paragraph 7 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 competition 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
- g) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
- h) Never harass competitors, coaches, officials, parents/guardians, or other spectators

### **18. References**

*Appeal Policy*

*Discipline and Complaints Policy*

*Human Resources Policy*

*Screening Policy*

Canadian Anti-Doping Program and/or the World Anti-Doping Code

Canadian Centre for Ethics in Sport (CCES)

Employment Agreement

### **History**

19. The history of Triathlon Manitoba's *Code of Conduct and Ethics* beginning March 2013 is as follows:

- a) *Code of Conduct Policy* approved on March 11, 2013.
- b) Policy based on Sport Manitoba's October 2016 *Code of Conduct and Ethics Policy* template approved on November 13, 2017. Sections 13 and 14 added.
- c) Section 9.k changed from "over age of 18" to "18 years of age or older."
- d) Policy updated on March 20, 2023 based on Sport Manitoba's Code of Conduct and Ethics template dated 2021. Major changes throughout, including addition of definitions, addition of all sections under heading Persons in Authority and Maltreatment and references to cannabis.