

Sail Canada Code of Conduct

1. Purpose and Scope

- 1.1. This Code of Conduct identifies the standard of behavior that is expected of all Sail Canada participants.
- 1.2. Sail Canada “participants” are defined as individuals who are registered to participate in Sail Canada programs and activities, including athletes, coaches, officials, employees, contractors, volunteers and parents of participants.
- 1.3. Participants who fail to abide by this Code may be subject to disciplinary action.

2. Responsibilities

- 2.1. All Sail Canada participants are expected to act in a responsible manner, as follows:
 - 2.1.1. To conduct themselves in a sportsmanlike and responsible manner at all times.
 - 2.1.2. To not engage in deliberate cheating that is intended to manipulate the outcome of a competition.
 - 2.1.3. To refrain from comments and behaviors which are disrespectful, offensive, abusive, racist, or sexist.
 - 2.1.4. To not be under the influence of alcohol at any time they are performing their duties.
 - 2.1.5. To not use or be in possession of illicit drugs/narcotics, performance-enhancing drugs or methods or drug paraphernalia.
 - 2.1.6. To not bet or gamble on the outcome of a competition.
 - 2.1.7. To refrain from the use of power of authority in an attempt, successful or not, to coerce another person to engage in or tolerate sexual activity which includes deliberate or repeated unsolicited sexually oriented comments, anecdotes, gestures or touching that are offensive and unwelcome.
 - 2.1.8. To not breach the privacy of an individual where the individual has a right to expect privacy.
 - 2.1.9. To either declare a conflict of interest or withdraw from participating in the activity that causes a conflict of interest as outlined in the SAIL CANADA’s Conflict of Interest Policy.
 - 2.1.10. To not attempt to cover up or conceal any conduct of an individual that is, or may be, in breach of this code of conduct.

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- 2.2. Athletes and coaches are further subject to the code of conducts specifically developed for athletes and coaches.
- 2.3. Individuals working with minors must be held to a higher standard in their dealings with those who are below the age of majority.

3. Confidentiality

- 3.1. Volunteers, employees and contractors should not use or transmit any confidential information for personal gain, while serving with the Sail Canada, and following termination of their relationship with the Sail Canada.
- 3.2. “Confidential information” is information of a highly sensitive, confidential, or, (when designated by a lawyer) privileged nature that may undermine the interests of the Sail Canada or cause negative attention if the matter or matters were to be disclosed, either internally or externally.

4. Disciplinary Procedures

4.1. Minor Infractions

- 4.1.1. Examples of minor infractions and possible disciplinary sanctions are shown in Appendix A.
- 4.1.2. Procedures for dealing with minor infractions shall be determined at the discretion of the person having delegated authority to make decisions on behalf of the Sail Canada or its Board of Directors, related to Sail Canada programs and activities.
- 4.1.3. In all situations however, the individual being disciplined shall be informed of the nature of the infraction and has an opportunity to explain his or her involvement in the incident.

4.2. Major Infractions

- 4.2.1. Examples of major infractions and possible disciplinary sanctions are shown in Appendix A.
- 4.2.2. Any participant in a Sail Canada activity may report a major infraction to the Executive Director.
- 4.2.3. Upon receipt of a complaint, the Executive Director shall determine if the incident is better dealt with as a minor infraction, or if a hearing is required to address the incident as a major infraction.
- 4.2.4. If the incident is to be dealt with as a minor infraction, the Executive Director will inform the appropriate person in authority as described above and the alleged offender, and the matter shall be dealt with according to section 4.1 above.

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- 4.2.5. If the incident report is to be dealt with as a major infraction and a hearing is required, the alleged offender shall be notified as quickly as possible and in any event, no later than 3 days from date of receipt of the incident report, and shall be advised of the procedures outlined in this policy.
- 4.2.6. Within 5 days of receiving the incident report, the Executive Director shall forward the report to the Case Manager who shall appoint three individuals to serve as a Disciplinary Panel. Where possible, one of the Panel members shall be from the peer group of the alleged offender. None of the Panel members can be involved in the incident and must be independent of those who were involved in it.
- 4.2.7. The Disciplinary Panel shall hold the hearing as soon as possible, but not more than 14 days after the incident report is first received by the Executive Director.
- 4.2.8. The Disciplinary Panel shall govern the hearing as it sees fit, provided that:
- a) The individual being disciplined shall be given 5 days written notice (by courier or fax) of the day, time and place of the hearing.
 - b) The Panel may decide to conduct the hearing in person, by telephone or video conference.
 - c) The individual being disciplined shall receive a copy of the incident report.
 - d) Members of the Panel shall select from among themselves a Chairperson.
 - e) A quorum shall be all 3 Panel members.
 - f) Decisions shall be by majority vote; the Chair carries a vote.
 - g) The individual being disciplined shall have the right to present evidence and argument, and may be accompanied by a representative.
 - h) The hearing shall be held in private.
 - i) The Panel may request that witnesses to the incident be present or submit written evidence.
 - j) The Panel shall render its decision, with written reasons, within 5 days of the Hearing.
 - k) Once appointed, the Panel shall have the authority to abridge or extend timelines associated with all aspects of the hearing.
- 4.2.9. Unless the Disciplinary Panel decides otherwise, any disciplinary sanctions applied shall take effect immediately.

5. Appeals Process

Any appeal of decisions set out in section 4 above (by person having delegated authority or the Disciplinary Panel) will be done according to the Sail Canada's Appeal Process and Dispute Resolution Policy.

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APPENDIX A EXAMPLES OF INFRACTIONS AND POSSIBLE SANCTIONS

Examples of Minor Infractions

- a) A single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors.
- b) Unsportsmanlike conduct such as angry outbursts or arguing.
- c) A single incident of intentionally being late or, if unintentionally, which results in significant embarrassment to or disruption of the event or activity

Possible Sanctions for Minor Infractions

The following disciplinary sanctions may be applied, singly or in combination, for minor infractions:

- a) verbal reprimand
- b) written reprimand to be placed on file at the national office
- c) verbal apology
- d) hand-delivered written apology
- e) team service or other voluntary contribution to Sail Canada
- f) suspension from the current competition
- g) other sanctions as may be considered appropriate for the offence.

Examples of Major Infractions

- a) Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors.
- b) Repeated unsportsmanlike conduct such as angry outbursts or arguing.
- c) Repeated incidents of being late for or absent from Sail Canada events and activities at which attendance is expected or required, whether intentional or not.
- d) Single physically abusive incident.
- e) Activities or behaviour which intentionally, or even if not intentional with wanton disregard for the consequences, interfere with a competition or with any athlete's preparation for a competition.
- f) Pranks jokes or other activities that endanger the safety of others.
- g) Deliberate disregard for the rules and regulations under which sailing events are conducted, whether at the local, divisional, provincial, national or international level.

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- h) Violation of the National Team Athlete Agreement.
- i) Violation of the sponsorship policy for individual athletes.
- j) Abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive, causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely, or irrespective the level of consumption, is in breach of any applicable no alcohol policy.
- k) Any use of alcohol by minors.
- l) Use of illicit drugs and narcotics.
- m) Use of banned performance enhancing drugs or methods.

Possible Sanctions for Major Infractions

The Disciplinary Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:

- a) written reprimand to be placed on file at the national office
- b) hand-delivered written apology
- c) suspension from certain Sail Canada activities which may include suspension from the current competition or from future teams or competitions
- d) suspension of all Sail Canada privileges
- e) suspension from certain Association activities (i.e. playing, coaching or officiating) for periods of up to three years
- f) suspension from all Association activities for periods of up to three years, or for life, if the circumstances of the infraction warrant
- g) other sanctions as may be considered appropriate for the offense