



### MLA – Safe Sport Policy Suite Definitions

1. *“Affected Party”* – Any Individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right under the *Appeal Policy*.
2. *“Appellant”* – The Party appealing a decision pursuant to the *Appeal Policy*.
3. *“Appeal Manager”* – An individual appointed by the Board of Directors or President of the MLA who may be any staff member, committee member, volunteer, director, or an independent third party, to oversee the administration of the *Appeal Policy*. The Appeal Manager shall not have had any involvement in the matter being appealed and shall have the responsibilities as described in the *Appeal Policy*.
4. *“Board”* – The Board of Directors of the MLA.
5. *“Case Manager”* – An independent individual appointed by the Board of Directors or Independent Third Party, as applicable, to fulfill the responsibilities described in the *Discipline and Complaints Policy*. To be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator.
6. *“Complainant”* – The Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
7. *“Complaint Resolution Officer”* – An individual appointed to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*.
8. *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
9. *“Days”* – Calendar days.<sup>1</sup>
10. *“Director of Sanctions and Outcomes”* – The individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS; or other conduct rules, as applicable) within the jurisdiction of the OSIC.
11. *“Discrimination”* – As defined in the UCCMS and as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).
12. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
13. *“Event”* – An event sanctioned by the MLA, which may include a social Event.

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<sup>1</sup> For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday, or a legal holiday. For example, if an Individual receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021 is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the individual seeking to file an appeal) on January 4, 2021.



14. *"Harassment"* – A vexatious comment (or comments) 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 which may negatively affect performance;
  - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity, which does not contribute to any Individual's positive development, but is required to be accepted as part of a team or group, regardless of the 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. 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 the MLA.
15. *"Independent Third Party"* – The independent individual retained by the MLA to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*, *Investigation Policy* and *Appeal Policy*, as applicable.
16. *"Individuals"* – Refers to all categories of membership defined in the MLA's bylaws, as well as all individuals employed by, or engaged in activities for which the MLA is acting as the governing or ruling body, including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, directors and officers of the MLA, spectators, and parents/guardians of athletes.
17. *"Maltreatment"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
18. *"Minor"* – Any Individual who is under the age of majority at the time and in the jurisdiction where the alleged breach of any MLA policy has occurred. Adult Individuals are responsible



for knowing the age of a Minor in the relevant jurisdiction.

**\*\*\* Please verify local jurisdictions for potential changes \*\*\***

19. *"Parties"* – In the context of a complaint under the *Discipline and Complaints Policy*, the Complainant and Respondent; in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent and Affected Party (or Parties).
20. *"Person in Authority"* – Any Individual who holds a position of authority within the MLA, including, but not limited to, coaches, umpires, officials, managers, support personnel, chaperones, Committee members, and Directors and Officers.
21. *"Power Imbalance"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
22. *"Prohibited Behaviour"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
23. *"Prohibited Method"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
24. *"Prohibited Substance"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport
25. *"Provisional Suspension"* – Means that the Individual is barred temporarily from participating in any capacity in any Event or activity of the MLA, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*
26. *"Reporting (or Report)"*: As defined in the UCCMS and as amended from time to time by the SDRCC.
27. *"Respondent"* – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
28. *"Sexual Harassment"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
29. *"Social media"* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, and Twitter.
30. *"SDRCC"* – The Sport Dispute Resolution Centre of Canada.
31. *"Tampering"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
32. *"UCCMS"* – The Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
33. *"Vulnerable Participant"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
34. *"Vulnerable Sector Check (VSC)"* – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database



35. *“Workplace”* – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of the MLA, remote work, work-related social functions, work assignments outside offices, work-related travel, the training and competition environment (wherever located), and work-related conferences or training sessions
36. *“Workplace Harassment”* – Vexatious comment(s) 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.
37. *“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;
- ix. Blocking normal movement or physical interference, with or without the use of equipment;
- x. Sexual violence; and
- xi. Any attempt to engage in the type of conduct outlined above.

Board Approved: March 28, 2023