



CANADA SNOWBOARD

APPEAL POLICY

Effective date	December 31, 2022
Archived date	-
Date last reviewed	December 2022
Scheduled review date	December 2023
Replaces and/or amends	Replaces Canada Snowboard Appeal Policy approved June 18, 2019
Approved by and date	Canada Snowboard Board of Directors, December 31, 2022
Appendix(-ces) to this Policy	Appendix A – National Team Appeals

Purpose

1. This *Appeal Policy* provides Individuals with a fair, affordable, and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Individuals. However, it does not apply to appeals of decisions that were managed by the OSIC, which shall be handled in accordance with the policies and procedures of the OSIC or the Director of Sanctions and Outcomes, as applicable.
3. Subject to Section 2, any Individual who is affected by a decision taken by Canada Snowboard² or a Member (as applicable) specifically with regard to that Individual, including a decision by the Board, by any Committee of the Board or by any body or individual within Canada Snowboard or the Member (as applicable) who has been delegated authority to make decisions in accordance with Canada Snowboard or a Member's By Laws and governance policies (as applicable), shall have the right to appeal that decision provided that it is a decision that is subject to appeal pursuant to Section 4 of this Policy, that the conditions indicated in Sections 6 or 7 of this Policy (as applicable) have been satisfied, and provided that there are sufficient grounds for the appeal pursuant to Section 8 of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) eligibility
 - b) selection, Canadian Snowboard High Performance program/National Team decisions and AAP nominations
 - c) conflict of interest
 - d) disciplinary decisions made pursuant to Canada Snowboard or a Member's relevant and applicable policies
 - e) membership

² A separate document with term definitions that apply to all Canada Snowboard Policy is found online and in the Canada Snowboard Safe Sport Manual.

5. This Policy **will not apply** to the following decisions relating to:
- a) Reported complaints that were managed by the OSIC;
 - b) Matters of general application such as amendments to the Canada Snowboard or a Member's By Laws;
 - c) Canada Snowboard or a Member's operational structure and committee appointments;
 - d) Issues of budgets and budget implementation;
 - e) Employment matters or matters of operational structure or staffing or volunteer leadership opportunities;
 - f) Except as otherwise provided for in this Policy, decisions made by organizations other than Canada Snowboard, such as Canada Snowboard's Members, the Canadian Olympic Committee (COC), the Canadian Paralympic Committee (CPC), U Sports, the International Olympic Committee (IOC), the International Paralympic Committee (IPC), World Snowboarding or the Fédération Internationale du Sport Universitaire (FISU) or any other governing body;
 - g) Selection criteria, quotas, policies and procedures established by entities other than Canada Snowboard or a Member;
 - h) Substance, content and establishment of team selection criteria;
 - i) The Athlete Assistance Program (AAP) policies and procedures established by Sport Canada;
 - j) Policy and procedures established by any other agency, association or organization external to Canada Snowboard or a Member;
 - k) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-Doping Program, by the Canadian Centre for Ethics in Sport and the International Ski and Snowboard Federation (FIS);
 - l) Contractual matters between Canada Snowboard and its staff or Members for which another dispute resolution process exists under the provisions of the applicable contract; or
 - m) Settlements negotiated pursuant to the *Dispute Resolution Policy*.

Timing of Appeal

6. Individuals who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit to Canada Snowboard's Independent Third Party or, where applicable, the CEO (or equivalent position of a Member) the following:
- a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name of the Respondent and any Affected Parties, when known to the Appellant
 - d) Date the Appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of the decision if a written document is not available
 - f) Grounds and detailed reasons for the appeal
 - g) All evidence that supports these grounds
 - h) Requested remedy or remedies
 - i) An administration fee of five hundred dollars (\$500), which will be refunded if the appeal is upheld

7. An Individual who wishes to initiate an appeal beyond the seven (7) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 6 above. Any such Individual must provide a written request stating the reasons for which they are seeking an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone or because an Individual (or Individuals) do not like or agree with a decision. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make;
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents);
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views); or
 - d) Made a decision that was grossly unreasonable or unfair.
9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in Section 8 of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Submitting an Appeal

Complaint Resolution Officer Decision – Members

10. A decision made by a Member's Complaint Resolution Officer following a request for reconsideration by one of the Parties pursuant to the *Discipline and Complaints Policy* may be appealed before the Member's Appeal Panel in accordance with the terms of this *Appeal Policy*.
11. The Member shall appoint an Appeal Manager and shall follow the process outlined in Sections 21 and following of this *Appeal Policy*, modified and applied accordingly based on the circumstances.

Discipline Panel Decision – Members

12. A decision made by a Member's discipline panel pursuant to the *Discipline and Complaints Policy* may be appealed before the Member's Appeal Panel in accordance with the terms of this *Appeal Policy*.
13. The Member shall appoint an Appeal Manager and shall follow the process outlined in Sections 21 and following of this *Appeal Policy*, modified and applied accordingly based on the circumstances.
14. Any decision by the Member's Appeal Panel in relation to an appeal filed pursuant to Sections 10 and 12 above shall be final and shall not be subject to any further appeal before the SDRCC, unless the original Parties to the appeal seize the SDRCC on a fee-for-service basis.

Complaint Resolution Officer Decision – Canada Snowboard

15. A decision made by Canada Snowboard's Complaint Resolution Officer following a request for reconsideration by one of the Parties pursuant to the *Discipline and Complaints Policy* may be appealed to the Canada Snowboard Appeal Panel in accordance with the terms of this *Appeal Policy*.

Discipline Panel Decision – Canada Snowboard

16. A decision made by Canada Snowboard's Discipline Panel pursuant to the *Discipline and Complaints Policy* may be appealed to the Canada Snowboard Appeal Panel in accordance with the terms of this *Appeal Policy*.

Other decisions

17. Any other Canada Snowboard decision relating to the matters indicated in Section 4 above may be appealed in accordance with Sections 21 and following of this Policy. Member decisions relating to the matters indicated in Sections 4(a)-(c) and (e) may be appealed in accordance with Sections 21 and following of this Policy, modified and applied accordingly based on the circumstances. Member decisions relating to the matters indicated in Section 4(d) may be heard as indicated in Sections 10-14. Where Canada Snowboard was not the decision-maker in any of the decisions made pursuant to Section 4, it shall have a right of appeal and may appeal the decision in accordance with this *Appeal Policy*.
18. Notwithstanding any other provision in this *Appeal Policy*, by agreement between the Parties, the internal appeal process **in relation to decisions made by Canada Snowboard only** may be bypassed, and the appeal may be heard directly before the SDRCC.
19. Except where an appeal proceeds before the SDRCC, Canada Snowboard or the relevant Member (as applicable) shall appoint an Appeal Manager and shall follow the process outlined in Sections 21 and following of this *Appeal Policy*, modified and applied accordingly based on the circumstances.

Dispute Resolution

20. For appeals filed pursuant to Sections 10, 12, 15, 16 or 17, the Parties may first attempt to resolve the appeal through the *Dispute Resolution Policy* once the notice of the appeal, the fee, and the information required pursuant to Section 6 has been received.

Screening of Appeal

21. Should the appeal not be resolved by using the *Dispute Resolution Policy*, Canada Snowboard or the Member will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the Parties) who has the following responsibilities:
- a) To determine if the appeal falls under the scope of this Policy (Sections 2-5)
 - b) To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
 - c) To decide whether there are sufficient grounds for the appeal (Section 8)
22. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision.

23. If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.

Appointment of Appeal Panel

24. If an appeal is accepted, the Appeal Manager will appoint an appeal panel which shall consist of a single member to hear the appeal. However, at the discretion of the Appeal Manager, an appeal panel composed of three members may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the panel's members to serve as the chair.

25. When appointing the appeal panel, the Appeal Manager must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of the Parties. Although not a strict requirement, the Appeal Manager should attempt to appoint individuals to the appeal panel who have a legal background and who understand the sport of snowboarding. When justified by the circumstances, the Appeal Manager may appoint individuals to the appeal panel who have specific areas of expertise that would assist in resolving the matter.

Determination of Affected Parties

26. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage Canada Snowboard or the Member (as applicable). The Appeal Manager may determine whether a Party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

27. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager, in collaboration with the appeal panel, shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.

28. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

29. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, a hearing based on documentary submissions alone, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the appeal panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held in a timely manner within a timeline determined by the Appeal Manager
- b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
- c) Copies of any written documents which the Parties wish to have the appeal panel consider will be provided to all Parties in advance of the hearing
- d) The Parties may be accompanied by a representative, advisor, translator, transcription services, or legal counsel at their own expense
- e) The appeal panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.

- f) The appeal panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The appeal panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties
- g) Nothing is admissible in evidence at a hearing that:
 - i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
 - ii. is inadmissible by any statute.
- h) Any Affected Party shall be permitted to make submissions and file evidence before the appeal panel. The appeal panel's decision is binding on any Affected Party
- i) The decision to uphold or reject the appeal will be by a majority vote of the appeal panel members, except in cases where the panel consists of a single member

30. In fulfilling its duties, the appeal panel may obtain independent advice.

Appeal Decision

31. The appeal panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the appeal panel will have no greater authority than that of the original decision-maker. The appeal panel may decide to:
- a) Reject the appeal and confirm the decision being appealed
 - b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision
 - c) Uphold the appeal, in whole or in part, and vary the decision
 - d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the appeal panel will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources
32. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, and Canada Snowboard or the Member (as applicable). In extraordinary circumstances, the appeal panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.
33. Subject to Section 34 below, unless the matter involves a Vulnerable Participant, once the deadline to appeal to the SDRCC (where applicable), as indicated in the Canadian Sport Dispute Resolution Code, has expired, Canada Snowboard or the Member (as applicable) shall publish the outcome of the appeal on their website. Publication shall be limited to, where applicable, the provision(s) of any relevant policies that have been violated, the name(s) of the Individual(s) involved, the sanction(s) or order imposed, if any. Additionally, where Canada Snowboard acts as the Complainant under Section 16 of the *Discipline and Complaints Policy* and any decision issued pursuant to that Policy is appealed, only Canada Snowboard, and not the original Complainant, shall be identified as an involved Individual. Identifying information regarding Minors or Vulnerable Participants will never be published by Canada Snowboard or one of its Members.
34. If the appeal panel dismisses the appeal, the decision may only be published, as provided for in Section 33, with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the Parties, the Appeal Manager, Canada Snowboard and the Member and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.

35. Other individuals or organizations, including but not limited to, Members, shall be advised of the outcome of any decisions rendered in accordance with this Policy.
36. Any decision rendered pursuant to this Policy shall apply automatically to and must be respected by Canada Snowboard and its Members.
37. Records of all decisions will be maintained by Canada Snowboard and its Members in accordance with their respective privacy policies.
38. The appeal panel's decision is final and binding on the Parties, subject to their right to appeal the decision before the SDRCC. Notwithstanding any provision to the contrary in the Canadian Sport Dispute Resolution Code, appeals must be filed with the SDRCC within 14 days of receipt of the appealing Party's receipt of the appeal panel's decision.

Timelines

39. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the appeal, the Appeal Manager and/or appeal panel may direct that these timelines be revised.

Confidentiality

40. The appeals process is confidential and involves only the Parties, the Appeal Manager, the appeal panel, and any independent advisors to the panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.
41. Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with Canada Snowboard or the Member's relevant and applicable policies.

Final and Binding

42. No action or legal proceeding will be commenced against Canada Snowboard, Members, or Individuals in respect of a dispute, unless Canada Snowboard or the Member (as applicable) has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Privacy

43. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Canada Snowboard's usual policies and practices regarding private and/or confidential information, or those of its Members, as applicable.
44. Canada Snowboard, its Members, or any of their delegates pursuant to this Policy, shall comply with Canada Snowboard's Privacy Policy (or, where applicable, those of its Members) in the performance of their services under this Policy.



Canada Snowboard

DEFINITIONS

The terms defined below shall apply to Canada Snowboard policies included in this Canada Snowboard Safe Sport Manual.

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 Canada Snowboard or a Member who may be any staff member, committee member, volunteer, Director, or the Independent Third Party, to oversee the administration of the *Appeal Policy*. The Appeal Manager’s responsibilities shall include those as described in the *Appeal Policy*.
4. ***“Athlete”*** – includes any Individual who is registered with Canada Snowboard or a Member for either recreational or competitive purposes.
5. ***“Board”*** – the Board of Directors of Canada Snowboard or a Member, as applicable.
6. ***“Case Manager”*** – an independent individual appointed by Canada Snowboard or a Member, as applicable, to fulfill the responsibilities described in the *Discipline and Complaints Policy*. In order 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.
7. ***“Complainant”*** – the Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
8. ***“Complaint Resolution Officer”*** – an individual appointed to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*.
9. ***“Criminal Record Check (CRC)”*** – a search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
10. ***“Days”*** – calendar days¹
11. ***“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 UCCMS (or other conduct rules, as applicable) within the jurisdiction of the OSIC.
12. ***“Discrimination”*** – as defined in the UCCMS and as amended from time to time by the SDRCC.
13. ***“Enhanced Police Information Check (E-PIC)”*** – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck
14. ***“Event”*** – An event sanctioned by Canada Snowboard or a Member, and which may include a social Event.
15. ***“Harassment”*** – a vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including social

¹ 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.

media, 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 Canada Snowboard or to a Member.
16. *"Independent Third Party"* – the independent individual retained by Canada Snowboard to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy, Investigation Policy* and *Appeal Policy*, as applicable.
17. *"Individuals"* – refers to all categories of members and/or Registered Participants defined in the Bylaws of Canada Snowboard or, as applicable, in the Bylaws of a Member, as well as all people employed by, contracted by, or engaged in activities with Canada Snowboard or a Member including, but not limited to, employees, contractors, Athletes, coaches, officials, volunteers, managers, administrators, parents or guardians, spectators, Committee members or Directors or Officers
18. *"Maltreatment"* – as defined in the UCCMS, and as amended from time to time by the SDRCC
19. *"Members"* – Canada Snowboard's Provincial or Territorial Associations.
20. *"Minor"* – any Individual who is under the age of majority at the time and in the jurisdiction where the alleged breach of any Canada Snowboard or Member policy has occurred. Adult Individuals are responsible for knowing the age of a Minor in the relevant jurisdiction.

***** Please verify provincial/territorial jurisdictions for potential changes *****

21. *"OSIC"* – the Office of the Sport Integrity Commissioner, which is an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner.

22. *"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).
23. *"Person in Authority"* – any Individual who holds a position of authority within Canada Snowboard or a Member, including, but not limited to, coaches, officials, managers, support personnel, chaperones, Committee members, and Directors or Officers. In addition to the responsibilities described for Individuals in the Code of Conduct and Ethics, a Person in Authority shall be responsible for knowing what constitutes Maltreatment and Prohibited Behaviour.
24. *"Provisional Suspension"* – means that the Individual is barred temporarily from participating in in any capacity in any Event or activity of Canada Snowboard and its Members, or as otherwise decided pursuant to the *Discipline and Complaint Policy*, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*.
25. *"Power Imbalance"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
26. *"Prohibited Behaviour"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
27. *"Prohibited Method"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
28. *"Prohibited Substance"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
29. *"Reporting (or Report)"*: as defined in the UCCMS and as amended from time to time by the SDRCC.
30. *"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.
31. *"Sexual Harassment"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
32. *"Social media"* – the catch-all term that is applied broadly to computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, Tik-Tok, and Twitter.
33. *"SDRCC"* – the Sport Dispute Resolution Centre of Canada.
34. *"Tampering"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
35. *"UCCMS"* – the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
36. *"UCCMS Participant"* - an Individual affiliated with Canada Snowboard as designated by Canada Snowboard and who has signed the required consent form. For Canada Snowboard, UCCMS Participants include:
 - i. Canada Snowboard National Team Athletes
 - ii. Canada Snowboard National Team Coaches and Support Staff
 - iii. Canada Snowboard Staff and Contractors
 - iv. Canada Snowboard Board Members
 - v. Canada Snowboard Committee Members
37. *"Vulnerable Participant"* –as defined in the UCCMS and as amended from time to time by the SDRCC.
38. *"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.
39. *"Workplace"* – any place where Events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of Canada Snowboard or a Member, 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.

40. *“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, text messages 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.
41. *“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:
- Verbal or written threats to attack;
 - Sending or leaving threatening notes, text messages or emails;
 - Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
 - Wielding a weapon in a Workplace;
 - Hitting, pinching or unwanted touching which is not accidental;
 - Dangerous or threatening horseplay;
 - Physical restraint or confinement;
 - Blatant or intentional disregard for the safety or wellbeing of others;
 - Blocking normal movement or physical interference, with or without the use of equipment;
 - Sexual violence; and
 - Any attempt to engage in the type of conduct outlined above.