

OVA CODE OF CONDUCT AND ETHICS

This is a Pan-Canadian Policy that has been amended by Volleyball Canada and the Ontario Volleyball Association in order to be consistent with the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)

Definitions

1. The following terms have these meanings in this policy:

- a) **Abuse** – Maltreatment as defined below;
- b) **Boundary Transgressions** – as defined in UCCMS s. 5.7, namely interactions or communications that breach objectively reasonable boundaries of an individual and are inconsistent with duties/responsibilities of the Participant;
- c) **Child/Children** - a Minor as defined in the UCCMS, namely an individual under the age of 19.
- c.1) **Hazing** – an incident where
 - one or more senior-ranking individual(s) on a team require a junior-ranking individual on that team to engage in any potentially humiliating, degrading, abusive, or dangerous activity; and
 - such activity does not contribute to any individual’s positive development, but is required by the senior-ranking individual(s) to be accepted as part of a team or group, regardless of the junior-ranking individual’s willingness to participate (including, but 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 ability);
- d) **Independent Third Party** – an independent person or organization that has no professional or personal ties to Volleyball Canada or a Provincial/Territorial Association;
- e) **Individuals** – registered Participants as defined in Volleyball Canada’s Bylaws and in the Bylaws of a Provincial/Territorial Association as applicable, (Participants as defined in the UCCMS – see Appendix A), and for greater certainty includes all individuals employed by, or engaged in activities with, Volleyball Canada or a Provincial/Territorial Association including, but not limited to, employees, contractors, athletes, volleyball clubs, coaches, mission staff, referees, volunteers, managers, administrators, committee members, health care workers, Directors and Officers, parents/guardians, and spectators at events;
- f) **Maltreatment** – as defined in the UCCMS, namely a volitional act or omission described in sections 5.2-5.6 of the UCCMS that results in harm or has the potential for physical or psychological harm and includes Psychological Maltreatment (s. 5.2 – also see Appendix A), Physical Maltreatment (s. 5.3), Neglect (s. 5.4), Sexual Maltreatment (s. 5.5), and Grooming (s. 5.6);
- f.1) **OVA** – Ontario Volleyball Association;
- f.2) **OVA Sport Environment** – any place where OVA business or activities are conducted, including but not limited to competitions, sanctioned events, practices, tryouts, training camps, travel associated with the OVA, and the OVA’s Workplace;
- g) **Persons in Authority** – any person who holds a position of authority over a Vulnerable Individual pursuant to the role assigned to them. Persons in Authority include, but are not limited to, coaches, managers, trainers, referees, staff, and administrators; further a Power Imbalance (as defined below) exists in any interaction between a Person in Authority and a Vulnerable Individual;

- h) **Power Imbalance** – as defined in the UCCMS (see Appendix A) – it is presumed to exist where a participant has authority or control over another person and is in a position to confer, grant or deny a benefit or advancement, or is responsible for the physical or psychological well-being of a person;
- i) **Prohibited Behaviour** – as defined in the UCCMS, namely any conduct described in UCCMS section 5, including but not limited to Maltreatment;
- j) **Provincial/Territorial Associations/PTAs** – the provincial/territorial member governing bodies for volleyball in each province/territory;
- j.1) **UCCMS** – the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, Version 6.0, published on May 31, 2022 by the Sport Dispute Resolution Centre of Canada (also see paragraphs 6-9 below);
- k) **Vulnerable Adults** – is included in the definition of Vulnerable Participant;
- l) **Vulnerable Individuals** – Minors and Vulnerable Participants;
- m) **Vulnerable Participant** – as defined in the UCCMS, namely persons at risk of Maltreatment and/or coercion, often due to age, gender, race, poverty, Indigeneity, sexual orientation, gender identity or expression, disability psychological or cognitive ability, and their intersections, and it includes persons who are not able to provide informed consent;
- n) **Workplace** – any place where business or work-related activities are conducted. The Workplace includes but is not limited to the OVA's or an OVA club's offices, work-related travel, the training and competition environment, and work-related conferences or training sessions;
- o) **Workplace Harassment** – vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, but excluding legitimate, reasonable management actions that are part of the normal work/training function, such as performance management of, or disciplinary actions applied to, a worker. Behaviours that constitute Workplace Harassment include, but are not limited to:
 - i. Maltreatment within the Workplace;
 - ii. deliberately withholding information that would enable a person to do his or her job, perform, or train; and
 - iii. sabotaging someone else's work or performance.
- p) **Workplace Violence** – the exercise of physical force, an attempt to exercise physical force, or a statement or behaviour that is reasonable to interpret as a threat to exercise physical force against a worker in a Workplace. Behaviours that constitute Workplace Violence include, but are not limited to:
 - i. verbal or written threats;
 - ii. physically threatening behaviour such as shaking a fist at someone, finger-pointing, destroying property, or throwing objects;
 - iii. wielding a weapon in a Workplace;
 - iv. hitting, pinching, or unwanted touching that is not accidental;
 - v. dangerous or threatening horseplay;
 - vi. physical restraint or confinement;
 - vii. blatant or intentional disregard for the safety or well-being of others;
 - viii. blocking normal movement, or physical interference, with or without the use of equipment;
 - ix. sexual violence; and
 - x. any attempt to engage in the type of conduct outlined above.

Purpose

2. The purpose of this *Code of Conduct and Ethics* is to ensure a safe and positive environment within the programs, activities, and events of Volleyball Canada and the Provincial/Territorial Associations by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable core values of Volleyball Canada and/or the Provincial/Territorial Associations. Volleyball Canada and the Provincial/Territorial Associations support equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all Individuals are treated with respect and fairness.

Application

3. This *Code of Conduct and Ethics* applies to Individuals' conduct during the business, activities, and events of Volleyball Canada and/or the OVA Sport Environment and Workplace, including, but not limited to, competitions, practices, tryouts, training camps, travel, the office environment, and meetings.
4. An Individual who violates this *Code of Conduct and Ethics* may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy*, an Individual who violates this *Code of Conduct and Ethics* during a competition may be ejected from the competition, venue or practice area, the referee may delay competition until the Individual complies with the ejection and the Individual may be subject to sanctions pursuant to that competition's policies.
5. This *Code of Conduct and Ethics* also applies to Individuals' conduct outside of the business, activities, and events of Volleyball Canada and the Provincial/Territorial Associations when such conduct has the potential to cause harm to OVA members, or adversely affects the relationships with or is detrimental to the image and reputation of Volleyball Canada or the OVA or has the potential to do so. Such applicability will be determined by Volleyball Canada or the OVA, as applicable, at its sole discretion.

Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)

6. The Universal Code of Conduct to Prevent and Address Maltreatment in Sport ([UCCMS](#)) is the core document that sets harmonized rules to be adopted by sport organizations that receive funding from the Government of Canada to advance a respectful sport culture that delivers quality, inclusive, accessible, welcoming, and safe, sport experiences.
7. Volleyball Canada formally adopted the UCCMS as a policy of Volleyball Canada in June 2022. The definitions in the UCCMS (Appendix 1 Definitions) apply to this and all other Volleyball Canada Policies as applicable.
8. Volleyball Canada entered into an agreement with the Sport Dispute Resolution Centre of Canada (SDRCC) in June 2022, for the enforcement of the UCCMS, including using the services of the Office of the Sport Integrity Commissioner (OSIC) and the Director of Sanctions and Outcomes (DSO) (the SDRCC Agreement). Volleyball Canada's participation in this agreement extends to the OVA and the OVA's member clubs.
9. If there is a conflict between a provision of the UCCMS and a provision of any other VC Policy or any OVA policy, the UCCMS prevails to the extent of the conflict.

Responsibilities

10. All Individuals have a responsibility to:
- a) Adhere to the UCCMS, and to all Bylaws, policies, rules, and regulations approved by Volleyball Canada and/or the OVA;
 - a.1) Conduct themselves at all times in a manner consistent with the OVA's values and standards;
 - b) Maintain and enhance the dignity and self-esteem of members and other Individuals by:
 - i. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, referees, organizers, volunteers, employees, or members,
 - ii. demonstrating the spirit of fair play, sport leadership, and ethical conduct,
 - iii. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory,
 - iv. Treating persons fairly, reasonably, and respectfully; and
 - v. Adhering to the rules of the sport and the spirit of those rules.
 - c) Refrain from any behaviour that constitutes a Prohibited Behaviour, including Maltreatment (which includes Abuse), Discrimination (as defined in the UCCMS – see Appendix A), Boundary Transgressions, as well as from Hazing, Workplace Harassment, and Workplace Violence, and any form of violence;
 - d) Respect the rights, dignity, and worth of all Individuals;
 - e) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, Volleyball Canada and the Provincial/Territorial Associations adopt and adhere to the Canadian Anti-Doping Program. Any infraction under this program will be considered an infraction of this code and may be subject to further disciplinary action, and possible sanction, pursuant to the Discipline and Complaints Policy. Volleyball Canada and the Provincial/Territorial Associations will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Volleyball Canada, a Provincial/Territorial Association, or any other recognized sport organization;
 - f) 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 recognized by the Canadian Centre for Ethics in Sport (CCES);
 - g) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities;
 - h) In the case of Individuals of legal age, avoid using recreational or illicit drugs, tobacco, or alcohol in situations where Minors are present, and to consume alcohol in a responsible manner when in adult-oriented social situations associated with OVA events, subject to the restriction in i);
 - i) Refrain from using recreational or illicit drugs, tobacco, or alcohol while participating in the programs, activities, competitions, or sanctioned events of Volleyball Canada, or the OVA;
 - i.1) In the case of Minors, avoid using recreational or illicit drugs, tobacco, or alcohol in the OVA Sport Environment;
 - j) Respect the property of others and not wilfully cause damage;
 - k) Promote sport in a constructive and positive manner;
 - l) Adhere to all federal, provincial/territorial, municipal and host country laws;
 - m) Refrain from engaging in cheating, which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition; and

- n) Declare any ongoing criminal investigation, conviction, or existing bail conditions concerning that Individual to Volleyball Canada or to a Provincial/Territorial Association.

Coaches

- 11. In addition to section 10, coaches 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 are Persons in Authority and 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 will:

- a) Not represent themselves or act as a coach without having complied with the OVA Coach Eligibility Policy;
 - a.1) Comply with the OVA Recruitment Policy;
 - a.2) 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, while refraining from using training methods or techniques that may harm athletes;
- b) 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;
 - b.1) Support the coaching staff of a training camp, regional / provincial team, or national team, should an athlete qualify for participation with one of these programs;
- c) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete;
- d) Act in the best interest of the athlete's development as a whole person, and support athletes' personal goals, including referring athletes to other coaches and sports specialists where appropriate;
 - d.1) Recognize and promote the rights of Vulnerable Participants, who are less able to protect their own rights;
- e) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol, cannabis, and/or tobacco; and
- f) Not engage in a sexual or intimate relationship with any Participant, where the coach is in a position of trust or authority relative to the Participant.

Where there is uncertainty as to whether a coach is in a position of trust or authority relative to a Participant, the presence of any Power Imbalance between the coach and the Participant is to be considered; Appendix A provides additional context with respect to presumption of a Power Imbalance.

Athletes

- 12. In addition to section 10, athletes will have additional responsibilities to:
 - a) Adhere to the athlete agreement (if applicable);
 - a.1) Properly represent oneself and not attempt to enter a competition for which one is not eligible;
 - b) Report any medical issues in a timely fashion, when such issues may limit their ability to travel, practice, or compete;

- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and sanctioned Volleyball Canada and/or Provincial/Territorial Association events;
- d) Adhere to any rules and requirements regarding uniforms and equipment;
- e) Act in a sportsmanlike manner and refrain from foul language, or gestures to other athletes, referees, coaches, or spectators;
- f) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers; and
- g) Adhere to the *Anti-Doping Policy*.

Referees

13. In addition to section 10, referees are Persons in Authority and have additional responsibilities to:
- a) Enforce and abide by national and provincial/territorial rules and regulations;
 - a.1) Continually maintain and update their knowledge of the rules and rule changes;
 - b) Act openly, impartially, professionally, lawfully, in avoidance of an actual or perceived conflict of interest, and in good faith in the best interests of Volleyball Canada and the Provincial/Territorial Associations;
 - b.1) Accept officiating assignments only when they intend to fulfill such commitments;
 - c) 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; and
 - d) Dress in proper attire for officiating.

Parents/Guardians and Spectators

14. In addition to section 10, parents/guardians, and spectators at Volleyball Canada and/or OVA-sanctioned events have additional responsibilities to:
- 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) Respect the decisions and not question the honesty and judgments of referees or coaches, and encourage athletes to do the same;
 - d) Refrain from ridiculing a Participant for a poor performance or practice, and from verbal and physical abuse, coercion, intimidation, and sarcasm;
 - e) Respect and show appreciation to all athletes, coaches, referees, and volunteers; and
 - f) At all times during a competition or OVA-sanctioned event, not enter the competition area or interfere with events or calls.

Directors, Committee Members, and Staff

- 14.1 In addition to section 10, Directors and Committee Members and staff of the OVA have additional responsibilities to:
- a) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of OVA business and the maintenance of Member confidence;
 - b) Ensure that the financial affairs of the OVA are conducted in a responsible and transparent manner, with due regard for their fiduciary responsibilities;
 - c) Conduct themselves transparently, professionally, lawfully, and in good faith in the best interests of the OVA;

- d) Comply with the OVA Conflict of Interest Policy – act independently and impartially, without being influenced by self-interest, outside pressure, expectation of reward, or fear of criticism;
- e) Behave with decorum appropriate to both circumstance and position, and be fair, equitable, considerate, and honest in all dealings with others;
- f) Keep informed about the activities of the OVA, the sport community, and general trends in the sectors in which it operates;
- g) Exercise the degree of care, diligence and skill required in the performance of their duties pursuant to the laws under which the OVA is incorporated;
- h) Respect the confidentiality appropriate to issues of a sensitive nature;
- i) Ensure that all Members are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight;
- j) Respect the decisions of the majority and resign if unable to do so;
- k) Commit the time to attend meetings and to be diligent in preparation for, and participation in, discussions at such meetings; and
- l) Have a thorough knowledge and understanding of all OVA governance documents.

OVA Regional Representatives, Clubs and Operators of Grassroots Programs

14.2 In addition to section 10, Regional Representatives, Clubs and operators of grassroots programs have additional responsibilities to:

- a) 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;
- b) Ensure that all athletes and coaches participating in sanctioned competitions are registered Members, in Good Standing, of their respective organizations;
- c) Engage coaches only in compliance with the OVA Coach Eligibility Policy; and
- d) Permit only the participation of eligible athletes.

Communication

15. Volleyball Canada and the Provincial/Territorial Associations will identify those persons within their respective organizations who will be responsible for implementing this policy.

Review and Amendment

16. All significant amendments to this policy will be submitted to Volleyball Canada for review by its *ad hoc* committee on policies.
17. This policy will be reviewed every two years. Any significant policy amendments require approval by Volleyball Canada and, separately by those the Provincial/Territorial Association, who chose to adopt this policy.

Approval

18. This policy was approved by Volleyball Canada and its Board of Directors on October 11, 2022.
19. This policy was approved by Ontario Volleyball Association and its Board of Directors on February 7, 2023.

Appendix A

Excerpts from UCCMS Appendix I: Definitions

Interpretation

A1. For the purpose of the UCCMS definitions and excerpts referenced in this Appendix, the term “Adopting Organization” is deemed to refer to the OVA.

UCCMS Definition: *Discrimination*

A2. As defined in Appendix I of the UCCMS, clause f), Discrimination includes

Behaviour, policies, and/or practices that contribute to differential, inequitable, adverse or otherwise inappropriate treatment of or impact on an individual or class of individuals based on one or more prohibited grounds, which include race, national or ethnic origin, colour, Indigeneity, religion, age, sex, sexual orientation, gender identity or expression, pregnancy, marital status, family status, language, genetic characteristics or disability, and analogous grounds.

Behaviour, policies, and/or practices specifically benefitting members of marginalized groups shall not be considered Discrimination.

Discrimination does not include behaviour, policies and/or practices rationally connected to legitimate sport objectives with the honest and good faith belief that they are reasonably necessary to accomplish the relevant objectives, provided that accommodation of the needs of an individual or a class of individuals affected would impose undue hardship on the Participant and/or Adopting Organization that would have to accommodate those needs, considering health, safety, cost, and legitimate sport objectives.

UCCMS Definition: *Participant*

A3. As defined in Appendix I of the UCCMS, clause l), a Participant is

Any individual who is subject to the UCCMS. Participants could include, without limitation, athletes, coaches, officials, volunteers, administrators, directors, employees, trainers, parents/guardians, etc., according to the policies of the Adopting Organization.

UCCMS Definition: *Power Imbalance*

A4. As defined in Appendix I of the UCCMS, clause n), a Power Imbalance

is presumed to exist where a Participant has authority or control over another person, is in a position to confer, grant or deny a benefit or advancement to the person, or is responsible for the physical or psychological well-being of the person. Whether an actual Power Imbalance exists will be determined based on the totality of the circumstances, including the subjective view of the subordinate Participant.

- i. Once a coach-athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-athlete relationship, regardless of the age of the athlete.

- ii. Where the coach-athlete relationship began while the athlete was a Minor, the Power Imbalance is presumed to continue even after the coach-athlete relationship terminates, until the athlete reaches 25 years of age.
- iii. A Power Imbalance may exist, but is not presumed, where a sexual or romantic relationship existed between two adult Participants before the sport relationship commenced (e.g. a relationship between two spouses or life partners, or a sexual relationship between Consenting adults that preceded the sport relationship).
- iv. A Power Imbalance is presumed to exist where the Participant and other person are in 1) an authority-based relationship in which one person has power over another by virtue of an ascribed position of authority, such as between high performance director and coach; employer and employee; technical official and athlete; 2) a dependency relationship in which the person in a position of lesser power is dependent upon the other person for a sense of security, safety, trust, and fulfillment of needs, conducive to intimate physical or psychological connections, such as between parent/guardian and child; teacher and student; person with a disability and attendant; coach and athlete; high performance director and athlete; sport science and medical support staff and athlete; billet or host family and athlete.
- v. A presumption that Power Imbalance exists may be rebutted.
- vi. A Power Imbalance may arise in a peer-to-peer relationship, including but not limited to teammate-teammate, athlete-athlete, coach-coach or official-official relationships.
- vii. Power may be represented by seniority, age differential, ability, physical size, public profile, gender identity or expression, sexual orientation, ethno-racial identity, level of physical and intellectual disability, and their intersections, as some examples.
- viii. Maltreatment occurs when this power is misused. Moreover, it is recognized that those from marginalized groups have experienced positions of lesser power.

UCCMS Excerpt: *Psychological Maltreatment*

A5. Examples of Psychological Maltreatment are outlined in paragraph 5.2.1 of the UCCMS, excerpted below.

- 5.2.1 Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, conduct that denies attention or support, and/or a person in authority's pattern of deliberate non-contact behaviours that have the potential to cause harm.
- a) Verbal Conduct: without limitation, verbally assaulting or attacking someone, including in online forms; unwarranted personal criticisms; implied or expressed body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigeneity, disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about someone to diminish that person's reputation; using confidential sport and non-sport information inappropriately.

- b) Non-assaultive physical conduct: physical behaviour, or the encouragement of physical behaviour, that has the potential to be harmful or instil fear, including, without limitation:
 - i. body-shaming, such as, without limitation, repeated and unnecessary weigh-ins, setting unreasonable weigh-in goals, inappropriately taking food away from athletes, prescribing inappropriately restrictive diets, inappropriately focusing on the physical appearance of a person's body, unnecessary or inappropriate emphasis on biometric data; and
 - ii. forms of physically aggressive behaviours such as, without limitation, throwing objects at or in the presence of others without striking another; damaging another's personal belongings; hitting, striking or punching objects in the presence of others.
- c) Conduct that causes denial of attention or support: without limitation, forms of lack of support or isolation such as ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; abandonment of an athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.
- d) A person in authority's pattern of deliberate non-contact behaviours that has the objective potential to be harmful.