

# CANADIAN CURLING ASSOCIATION NATIONAL TEAM PROGRAM 2014-2015 STANDARDS AND GUIDELINES

*The National Team Program exists for the purpose of training athletes with the potential to represent Canada in the World Championships and the Olympic/Paralympic Games in the year/cycle that follows the athlete being selected to the National Team Program. Please note that athletes who have held SR1/SR2 card status are not eligible to subsequently receive D card status as per Sport Canada policy.*

## TEAM SIZE

- Sport Canada provides the equivalent of 14 Senior cards to the Men's program, 14 Senior cards to the Women's program and 6 Senior cards to the Wheelchair Program. Senior Cards may be converted to Development cards.
- The Canadian Curling Association distributes these cards to a minimum of 43 athletes as follows:
  - Men's program: 8 Senior cards and 10 Development cards;
  - Women's program: 8 Senior cards and 10 Development cards;
  - Wheelchair program: 5 Senior cards and 2 Development cards.

## ACCESS

- Access to the program shall be gained as a result of national/international performance, agreeing to meet National Team Program standards and guidelines and upon signing the athlete agreement form (attached).

## ELIGIBILITY

- In the carding year/cycle (July 1<sup>st</sup>, 2014 to June 30<sup>th</sup>, 2015) 4 athletes from the 2014 Olympic Men's Team, 4 athletes from the 2014 Olympic Women's Team and 5 athletes from the 2014 Paralympic Wheelchair Team shall be eligible to apply for Senior National Team Program status as potential new athletes to the program. SR1 able-bodied athletes who are presently in the program as a result of having represented Canada at the 2013 World Championships may reapply for National Team Program status. Athletes that represent Canada in the 2014 World Championships are not eligible to apply for carding in the 2014-2015 carding cycle as priority is given to Olympic athletes.

## PRIORITY ACCESS

- Priority #1: 4 men and 4 women athletes who compete in the Olympics and 5 athletes who compete in the Paralympics.
- Priority #2: The highest ranked team on the CTRS at the conclusion of the 2013-14 season that participated in the Canadian Men's/Canadian Women's Olympic play-down process and who have not already qualified for SR1 or SR2 card in 2014-15.
- Priority #3: Men and women athletes that meet La Releve age eligibility criteria and achieved the highest CTRS Ranking at the conclusion of the 2013-14 season.

**For carding details, see Appendix 1A and 1B**

## **PROGRAM INCLUSION**

- National Team Program members who meet established criteria and sign all pertinent agreements shall be eligible to be nominated by the CCA to the Sport Canada Athlete Assistance Program (AAP). Appendix 1A and Appendix 1B (attached)

## **APPEALS**

- Appeals shall be facilitated by the process identified in National Team Program Athlete Agreement.
- For any matters related to the Athlete Assistance Program Nomination or de-carding, all appeals must follow the Policies and Procedures of Sport Canada's Athlete Assistance Program (AAP) Section 13.1 [http://www.pch.gc.ca/progs/sc/pol/athlete05/1\\_e.cfm](http://www.pch.gc.ca/progs/sc/pol/athlete05/1_e.cfm).

## **COMPETITION**

- All athletes with Senior Carding status shall compete in a minimum of 8 regional, national or international competitions as approved by the CCA. La Relève and D Card status athletes shall compete in a minimum of 6 regional, national or international competitions as approved by the CCA. Each year an athlete is selected to the National Team Program, the athlete shall enter and compete in all levels of competition that lead to Provincial/Territorial Championships, Canadian Championships (Canadian men's, women's or wheelchair championships) and Canadian Curling Trials. The Athlete shall make every effort to qualify and participate in the World Championships and Winter Olympics/Paralympics. National Team Program competitions may, as well, include events on the Men's and Women's Tour or Canada Cup Bonspiel Series events, international invitational events, national invitational events, "made-for-television" competitions, wheelchair events and other events as approved by the CCA. Senior and D card status wheelchair athletes shall compete in a minimum of 4 regional, national or international competitions as approved by the CCA.

## **TRAINING**

- National Team Program athletes shall submit an individualized Annual Competition and Training Plan for a year-round training program which involves scheduled training in the following competitive components:
  - skill analysis and development
  - fitness - general and sport specific under the guidance of an exercise physiologist
  - mental toughness under the guidance of a certified sports psychologist
  - strategical/tactical analysis and development
  - team dynamics
  - nutritional counseling under the guidance of a nutritionist
  - other as required
- A comprehensive planning, training and assessment resource will be provided by the CCA to assist the athlete, Team Coach and National Team Program Coach in implementing a year round training program which includes significant daily training activities. This resource will be particularly beneficial in facilitating the off season training requirements.

- All National Team Program athletes shall make themselves available to participate in high performance camps or training sessions as identified in the Annual Competition and Training Plan. These initiatives will be formatted based on national team athlete/coach input.
- All National Team Program athletes will be provided access to sport science support as determined by the athlete and National Team Program Coach and will be based on the National Team Program budget.

### **FITNESS STANDARDS**

- Each athlete shall meet or surpass the physical fitness standards previously agreed to by the athlete, national team coach and sport science consultant. These fitness standards shall be documented in the athletes' individualized Annual Competition and Training Plan and achieved within a time frame agreed to by the athlete and National Team Program Coach.
- Fitness testing shall be scheduled by the athlete in consultation with the National Program Coach.

### **TRAINING/PERFORMANCE MONITORING**

- The CCA, in consultation with the National Program athletes, shall assign a National Program consulting coach to monitor each athlete's training regimen, competitive performance and fitness over the program season. A consulting coach shall be assigned for each of the men's and women's programs.

### **DRUG TESTING REQUIREMENT**

- Each athlete shall make themselves available to drug testing procedures as and when requested to do so by an authorized person/agency in Canada and overseas, as required by the CCA/athlete agreement and as stated in the AAP Policies and Procedures Manual.

### **CCA/ATHLETE AGREEMENT**

- Each athlete seeking access to the National Team Program and Sport Canada carding shall study, sign and return the agreement to the CCA office. The agreement shall be considered valid for the period of National Program inclusion and for the carding period of one year. The agreement shall be returned to the CCA office on or before June 15th of the appropriate year. (Agreement attached)

### **SPORT CANADA ATHLETE ASSISTANCE PROGRAM**

- Each athlete's specific Sport Canada carding status shall be determined by their national/international performance and sport specific carding guidelines as determined by Sport Canada in consultation with the CCA (Appendix 1 attached). Information on Sport Canada's Athlete Assistance Program is available at the following web site: **[www.pch.gc.ca/sportcanada](http://www.pch.gc.ca/sportcanada)** (under "Funding Programs). If you do not have internet access, please request a hard copy.

### **TEAM COMPONENT**

- Athletes who are in the National Team Program and nominated for carding are not obligated to compete with the team whose success earned them the National Team and carding opportunity. The athlete(s) must maintain their National Team Program training and competitive commitments and compete with a team(s) that is recognized by the CCA as national level.

- Wheelchair athletes who have been selected to the Paralympic Team Athlete Pool must remain active in the Pool to be eligible for National Team Program inclusion. Wheelchair athletes may lose their Paralympic Team Athlete status for the following reasons:
  1. Failure to maintain their National Team Program training and competition commitments as determined at the beginning of the National Team Program season in consultation with the National Team Program Coach.
  2. Failure to consistently perform at the pre-established National Team Program standard in a championship environment (Canadian Championships, World Championships, International competitions).
  3. Failure to uphold the National Team Program Athlete Agreement.

### **NATIONAL TEAM PROGRAM APPLICATION**

- The CCA will endeavor to provide each athlete who meets program access requirements with the program application package at the conclusion of the competitive season and prior to May 30th.

### **NOTIFICATION TO ATHLETE ON REQUEST FOR SPORT CANADA CARDING**

- The CCA will endeavor to meet with appropriate Sport Canada representatives to present each athlete's application for carding prior to June 15th and as a result notify each athlete in writing of their carding status prior to June 30th.

**I have read, understand and agree to the Standards and Guidelines as outlined in this document.**

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

## National Team Program

# ATHLETE AGREEMENT

AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2014.

### BETWEEN

The Canadian Curling Association, having its national office at 1660 Vimont Court, Orleans, Ontario (hereinafter referred to as "the CCA")

### AND

\_\_\_\_\_ (hereinafter referred to as "the Athlete"), residing at

\_\_\_\_\_ (street address)

\_\_\_\_\_ (city and province)

\_\_\_\_\_ (postal code)      Date of birth: \_\_\_\_\_

Telephone: \_\_\_\_\_ (residence)      \_\_\_\_\_ (business)

Cell number: \_\_\_\_\_ e-mail address: \_\_\_\_\_

**WHEREAS** the National Team Program exists for the purpose of training athletes with the potential to represent Canada in the World Championships and the Olympic/Paralympic Games in the year in which the athlete is selected to the National Team Program;

**AND WHEREAS** the selection of an athlete to the National Team Program presupposes the athlete's availability to represent Canada in such major international competitions and presupposes the athlete's participation in all provincial/territorial and national competitions forming part of the CCA's playdown process leading to the selection of Canada's representation at such major international competitions;

**AND WHEREAS** the athlete and the CCA recognize that the National Team Program eligibility and priority access criteria, program access criteria and the criteria governing the CCA's decisions to recommend/not recommend the athlete for carding are the same;

**AND WHEREAS** the parties recognize that compliance with the aforesaid criteria is not only necessary for the athlete's initial eligibility to participate in the National Team Program, thereby qualifying to be recommended by the CCA to Sport Canada for inclusion within their Athlete Assistance Program (AAP), but also ongoing compliance with said criteria throughout the one year carding cycle is essential for the athlete to maintain National Team Program status and as a result, their continued eligibility to maintain Sport Canada carding;

**AND WHEREAS** the Athlete wishes to be a member of the CCA's National Team Program with his or her rights and obligations clearly defined;

**AND WHEREAS** the CCA is recognized by the World Curling Federation, Sport Canada and the Canadian Olympic Committee as the sole National Federation governing amateur curling in Canada;

**AND WHEREAS** the CCA and the Athlete recognize the need to clarify the relationship between the CCA and the National Team Program Athlete by establishing their respective rights and obligations;

**AND WHEREAS** the Sport Canada Athlete Assistance Program (hereinafter referred to as “the AAP”) requires these rights and obligations to be stated in a written agreement to be signed by the CCA and the Athlete who is being nominated to receive assistance with the AAP;

**NOW THEREOF** the parties agree to the following:

### **CCA OBLIGATIONS**

#### **1. The CCA shall:**

- a) assist athletes and coaches to train within a National Team Program in an endeavor to represent Canada in the sport of curling at the Olympics/Paralympics and World Championships;
- b) publish selection criteria for all national teams at least three (3) months before the selection for any particular team and at least eight (8) months before the selection of major games teams (e.g. Olympic, Commonwealth, Pan American, Fédération internationale du sport universitaire (FISU) and World Championship teams);
- c) publish criteria for the selection of athletes to the AAP eight (8) to ten (10) months before the start of the AAP eligibility cycle;
- d) communicate with athlete both verbally and in writing in the official language of preference;
- e) nominate athletes who have met the AAP criteria (Appendix 1) for the AAP and thereafter ensure that all Athletes accepted are made aware of all the benefits to which they are reasonably entitled thereunder;
- f) organize programs and provide funding for the development and provision of coaching expertise at regional training centres in Canada in accordance with the National Plan and budget of the CCA;
- g) assist the Athlete in obtaining quality medical care and advice;
- h) regularly provide National Team program information (training and competition) to the Athlete;
- i) provide a formal review of the Athlete’s annual training program and fitness standards;
- j) provide funding support to the Athlete for training camps and competitions in accordance with the National Team Program budget of the CCA.
- k) provide a dispute settlement mechanism with regard to any dispute the Athlete may have with the CCA with respect to clauses in this agreement and such dispute settlement mechanism shall be in conformity with the generally accepted principles of natural justice and due process.

## **ATHLETE'S OBLIGATIONS**

### **2. The Athlete Shall:**

- a) provide the National Program Coach or his or her designate either in person or by mail sent to the National Office, with an individualized National Team Program Competition and Training Plan and other appropriate information that the CCA may request. The completed Plan shall be submitted along with the signed Athlete Agreement and shall be subject to CCA approval;
- b) submit a request to the CCA for approval of any desired changes to the National Team Program Competition and Training Plan one month in advance of the proposed change;
- c) follow the individualized National Team Program Competition and Training Plan as approved by the CCA;
- d) subject to paragraph 2(d), make themselves available to participate in all mandatory training camps and competitions as described in the Competition and Training Plan including entering all levels of competition leading to a Canadian and World Championship as required;
- e) notify the CCA immediately in writing of any injury or other legitimate reason beyond the athlete's control that will prevent the Athlete from participating in an upcoming event referred to in the National Team Program Competition and Training Plan and ensure in the case of an injury that a certificate from a medical doctor setting out the specific nature of the injury is forwarded to the CCA as soon as possible prior to the event. In the case of 'other legitimate reason beyond the athletes control', the athlete shall submit such evidence as the CCA deems reasonable to corroborate the legitimacy of the reason. Any dispute concerning the legitimacy shall, if possible, be resolved by the dispute settlement mechanism referred to herein;
- f) avoid any action or conduct that would reasonably be expected to significantly disrupt or interfere with a competition or the preparation of any Athlete for a competition. *When under the jurisdiction of the CCA, avoid any action or conduct that would in any way (in the opinion of the Team Program Management) reflect detrimentally upon the image of the National Team Program, CCA or Canada;*
- g) during or at National Team Program training camps and competitions, avoid the consumption of alcoholic or any other debilitating substance to a level which would reasonably be expected to impair the Athlete's ability to perform competently, cause impairment in the Athlete's ability to speak, walk or drive, or cause the Athlete to behave in a disruptive manner.
- h) avoid the use of banned substances which are in contravention to the rules of the IOC, the World Curling Federation (WCF) and Canadian Policy on doping in sport. Agree to submit to, without prior warning, unannounced doping control tests in addition to other prior notice tests and at other times to doping control testing upon request of the WCF, CCA, Sport Canada, the Canadian Centre for Ethics in Sport, COC or any other authority designated to do so by the CCA.

- i) avoid the possession of anabolic drugs and neither supply such drugs to other *directly or indirectly* nor encourage or condone their use by knowingly aiding in any effort to avoid detection of the use of banned substances or banned performance-enhancing practices;
- j) participate, if asked by the CCA to do so, in any Doping Control/Education Program developed by the CCA in cooperation with Sport Canada and the CCES;
- k) avoid living in an environment that is not conducive to high performance achievements or taking any deliberate action that involves significant risks for the Athlete's ability to perform or that limits the Athlete's ability to perform or that limits the Athlete's performance;
- l) avoid participating in any competitions where federal government policy has determined that such participation is not permitted;
- m) participate in sport-related, non-commercial promotional activities on behalf of the Government of Canada. The CCA will usually make such requests for participation and arrange the activities. Unless supplementary compensation is arranged, these activities do not normally involve more than two working days per athlete per year;
- n) actively participate in all AAP evaluation activities. Athletes will cooperate fully in any evaluation of the AAP that may be conducted by the Minister or anyone authorized to act on the Minister's behalf and provide such data as the person conducting the evaluation considers necessary for the proper conduct of the evaluation;
- o) follow the advice of National Program medical expertise in relation to injury prevention and rehabilitation, etc.
- p) utilize the dispute settlement mechanism referred to in Appendix 2 for remedy of complaints and issues;
- q) promptly furnish to the CCA National Office or National Program Coach any and all particulars which may from time to time be requested; and
- r) be members in good standing of a Provincial/Territorial Association with the CCA to be eligible for AAP (carding).

### **Default Notification Provisions**

- 3. (a) Where one of the parties to this Agreement is of the opinion that the other party has failed to conform with its obligations under this Agreement, it shall forthwith
  - (i) Notify that party in writing of the particulars of the alleged default;
  - (ii) If there exists a reasonable opportunity to correct the default, and if the default is not so fundamental as to amount to repudiation of this agreement, the notifying party shall indicate in the notice the steps to be taken to remedy the default and a reasonable period of time to complete the remedial steps.
  - (iii) The parties agree that the giving of the above referred to notice by a party will not prevent that party from later asserting that the default was so fundamental as to amount to a repudiation of this agreement.

- (b) If the party receiving the notice remedies the breach within the specified time the dispute shall be at an end and neither party shall have any recourse against the other concerning the matters alleged to comprise the default. If the party receiving the notice fails to remedy the breach within the specified time and either party wishes recourse against the other concerning the matters alleged to comprise the default, that party shall use the dispute settlement mechanism of this agreement to resolve the differences between the parties. Neither party shall have recourse to the courts or elsewhere to resolve such differences.

#### **4. DISPUTE SETTLEMENT MECHANISM**

- (a) Attached as Appendix 2 is the dispute settlement mechanism for use by the parties for disputes arising during competitions and at other times.

#### **DURATION OF AGREEMENT**

This Agreement comes into force on the 1<sup>st</sup> day of July 2014 and terminates on the 30<sup>th</sup> day of June, 2015.

#### **UNDERSTANDING/VOLUNTARINESS**

Each of the parties has read thoroughly the terms of this agreement, has had ample opportunity to reflect upon and question the meanings of the provisions, and has either had independent legal advice concerning the agreement or the opportunity to receive same. Each party fully understands the meanings and consequences of all the provisions. Each party is signing this agreement freely and voluntarily without pressure or coercion from anybody.

#### **ATHLETE DECLARATION**

I hereby declare that in return for any financial assistance provided by the Sport Canada Athlete Assistance Program, I undertake to fulfil all commitments and responsibilities outlined in the booklet *Athlete Assistance Program Policies, Procedures and Guidelines* and posted on the Sport Canada website ([http://www.pch.gc.ca/progs/sc/prog/paa-aap/info\\_e.cfm](http://www.pch.gc.ca/progs/sc/prog/paa-aap/info_e.cfm)) and my Athlete/NSO Agreement. I agree to refund any assistance provided to me, payable to the Receiver General of Canada, should my eligibility status change or my carded status be withdrawn, effective the withdrawal/change of status date.

\_\_\_\_\_  
Athlete signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness signature

#### **The Canadian Curling Association:**

\_\_\_\_\_  
CCA Representative signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness signature

## APPENDIX 1A

### Canadian Curling Association Able-Bodied National Team Program

#### Sport Canada Athlete Assistance Program (Carding) Criteria

- Sport Canada provides the equivalent of 14 Senior cards to the Men's program, 14 Senior cards to the Women's program. Senior Cards may be converted to Development Cards.
- The Canadian Curling Canada distributes these cards as follow:
  - Men's program: 8 Senior cards and 10 Development cards;
  - Women's program: 8 Senior cards and 10 Development cards;
- If after the application of the Senior card criteria there is a remaining card quota, it may be awarded as Development card(s).
- The AAP carding status of National Team Program athletes shall be based on their national/international performance, ability to meet National Team Program standards and Sport Canada carding guidelines and adhere to the National Team Program Athlete Agreement.
- Individual athlete ranking within each identified priority will be based on the athlete's CTRS ranking at the conclusion of the 2013-14 competitive season.

#### SENIOR CARD CRITERIA

##### Sport Canada International Criteria (SR1/SR2)

Olympic Games	Men's Team	top 8 and top ½ of the field
	Women's Team	top 8 and top ½ of the field

Note 1: Athletes that qualify for carding under the Senior International criteria are eligible for two years of AAP support, with the card for the first year referred to as an SR1 Card and the card for the second year referred to as an SR2 card. The second year is subject to:

- a) the athlete meeting the training and competition requirements established within the initial year's Annual Competition and Training Plan including participation in the World Championship playoff process as per the CCA's National Team Program standards and guidelines.
- b) **To qualify for SR2 carding, a team must retain a minimum of 3 players from the team they earned their carding status with. If an athlete is no longer playing with the team they earned their carding status with commencing the SR2 carding cycle, their new team must be ranked in the top 10 on the Order of Merit among Canadian teams in order for the athlete to be awarded SR2 status.**
- c) The athlete must also be re-nominated for AAP carding by the CCA and submit a training and competitive program to be approved by the CCA and Sport Canada and sign the AAP application and CCA/Athlete agreement.

Note 2: In the Olympic years, only the results of the Olympic Games are considered for new Senior International carding status.

Note 3: The 5<sup>th</sup> player is not eligible for this card.

## **Senior National Team Criteria (SR/C1)**

The highest ranked team on the CTRS at the conclusion of the 2013-14 season that participated in the Canadian Men's/Canadian Women's Olympic play-down process and who have not already qualified for SR1 or SR2 card in 2014-15.

Note 1: These cards are awarded for a one year period.

Note 2: Athletes meeting the National Team Criteria for the first time will be funded at the Development card level and designated as C1 cards.

Note 3: The 5<sup>th</sup> player is not eligible for this card.

## **Priority for Nomination**

There will be a maximum of 8 men and 8 women nominated at the Senior levels (SR1, SR2, SR & C1).

Priority #1: Athletes eligible under the SR1/SR2 criteria

Priority #2: Athletes eligible under the SR/C1 criteria

## **DEVELOPMENT CARDS (D CARDS)**

NOTE: These cards are awarded for a one year period and shall not be awarded to an athlete that was previously carded at the SR1, SR2, SR or C1 level as per Sport Canada policy and shall not be awarded to the 5<sup>th</sup> player on the team. **An athlete may be awarded a D Card for up to 5 years. To qualify for a D Card in the 5<sup>th</sup> year, the athlete's CTRS Ranking must be in the top 6 or equal to or higher than their highest ranking in any of the previous 4 years.**

**If an athlete is no longer playing with the team they earned their carding status with commencing or during the carding cycle, their new team must be ranked in the top 15 on the Order of Merit among Canadian teams in order for the athlete to be awarded/maintain D Card status.**

The CCA is eligible to nominate up to 20 athletes (10 men; 10 women) under the Development card criteria:

Priority #1: Men and women athletes that meet la Releve eligibility criteria and have achieved the highest CTRS ranking at the conclusion of the 2013-14 season.

***NOTE:** Individual athlete ranking within each identified priority will be based on the athlete's CTRS ranking at the conclusion of the 2013-14 competitive season. In the case when there are more eligible athletes than available D cards, the D cards will be awarded according to that ranking. (A skill based tie-breaking protocol has been developed and will be implemented as required.)*

## **LA RELEVE ELITE PROGRAM**

The La Releve Elite Program was designed to identify and support curling athletes with the greatest potential to represent Canada in 2018 and who were under 32 years of age as of September 1<sup>st</sup>, 2013.

Inclusion in the program in 2014-15 is based on meeting the following performance criteria:

Priority #1: The 20 male and 20 female athletes that have achieved the highest CTRS ranking at the end of the 2013-14 season.

The list of athletes that meet the La Releve Elite criteria will be published on the CCA website by May 30, 2014.

## APPENDIX 1B

### Canadian Curling Association National Wheelchair Team Program

#### Sport Canada Athlete Assistance Program (Carding) Criteria

- The AAP carding status of National Team Program athletes shall be based on their national/international performance, ability to meet National Team Program standards and Sport Canada carding guidelines and adhere to the National Team Program Athlete Agreement. In the carding cycle (July 1<sup>st</sup> to June 30<sup>th</sup>) that includes the Paralympics, athletes must be selected to and maintain their status in the Paralympic Team Athlete Pool.
- The Canadian Curling Association will nominate 5 Wheelchair athletes at the Senior card level (SR1/SR2/SR or C1) and 1 athlete at the Development (D) card level.

#### **SENIOR CARD CRITERIA**

##### **Sport Canada International Criteria (SR1/SR2 Cards)**

Paralympic Games                      Team results                      top 8

Note 1: Athletes that qualify for carding under the Senior International criteria are eligible for two years of AAP support, with the card for the first year referred to as an SR1 Card and the card for the second year referred to as an SR2 card. The second year is subject to the athlete being selected to the National Team representing Canada at the World Wheelchair Curling Championship or Paralympic Games. The athlete must also be re-nominated for AAP carding by the CCA, submit a training and competitive program to be approved by the CCA and Sport Canada and sign the AAP application and CCA/Athlete agreement.

Note 2: In the Paralympic years, only the results of the Paralympic Games are considered for new Senior International carding status.

##### **National Team Criteria (SR/C1 Cards)**

Athletes selected to compete at the World Championships or Paralympic Games but do not meet SR1 criteria.

Note 1: These cards are awarded for a one year period.

Note 2: Athletes meeting the National Team Criteria for the first time will be funded at the Development card level and designated as C1 cards.

#### **DEVELOPMENT CARD (D CARDS)**

Paralympic Team – Athlete Pool

Note 1: These cards are awarded for a one year period to the 2 highest ranked athletes selected by the CCA to the National Team/Paralympic Team Athlete Pool who were not chosen to the final National/Paralympic Team.

#### **Priority for Nomination**

There will be a maximum of 5 athletes nominated by the CCA at the SR1, SR2, SR, C1 card level and 2 athletes nominated at the D card level.

Priority #1: SR1 and SR2 cards

Priority #2: SR and C1 cards

Priority#3: D card

## **APPENDIX 2 TO ATHLETE AGREEMENT**

### **DISPUTE SETTLEMENT MECHANISM**

#### **1. Categories**

The appeal process regarding Canadian Curling Association (CCA) decisions is differentiated as follows:

- (a) Disciplinary measures and appeal process related primarily to the conduct of a Competitor/Coach at a competition, but which is also applicable to other conduct except conduct governed by the appeal process set out in subparagraph 1(b) below.
- (b) Appeal process related to a Competitor/Coach's status on the National Team, to AAP eligibility, or to decisions taken by the CCA pursuant to subparagraph 3(c)(vii) hereof.

#### **2. Definitions**

The words or phrases below shall have the following meanings in this document:

- (a) "AAP" means the Athlete Assistance Program funded by Sport Canada or any substitute or successor program.
- (b) SDRCC refers to the dispute resolution organization created by a Government of Canada initiative currently having its office located at Suite 2825 – 1 Place Ville Marie, Montreal, Quebec.
- (c) A "competition" is any local, provincial, national or international event sponsored, promoted, endorsed or supported by the CCA or any CCA member association. A competition shall include the time frame covered by the entire time from the Competitor/Coaches departure to the competition locale for the purpose of competing in the competition through to and including arrival at home from the event.
- (d) A "Competitor/Coach" is any person who is participating or has participated as a member or Coach of any team in any local, provincial, national or international event sponsored, promoted, endorsed or supported by the CCA or a CCA member association, and whose members have signed a National Team agreement.
- (e) "National Team" means a team that has been selected by the CCA to represent Canada in World Championship or Olympic curling competitions, and the members of which have signed a National Team Athlete Agreement.

**3. Disciplinary measures and appeal procedures related primarily to the conduct of a competitor/coach at a competition, but which is also applicable to other conduct of a competitor/coach excluding only conduct to which paragraph 4 hereof applies.**

- (a) The CCA shall have the right to implement and administer reasonable disciplinary measures arising from any Competitor/Coach's conduct (whether of a verbal or physical nature) occurring,
  - (i) during any competition, whether in the course of on ice play or at other times,
  - (ii) or at any other time and place.
- (b) Such disciplinary measures may include but are not limited to,
  - (i) formal reprimand or verbal warnings;
  - (ii) formal reprimand (written);
  - (iii) temporary or permanent suspension of competition privileges;
  - (iv) dismissal from a team representing the CCA.
- (c) Disciplinary measures imposed on a Competitor/Coach arising out of conduct referred to in subparagraph 3 (a) above shall be implemented in accordance with the following rules.
  - (i) The Manager of Event Operations, or an alternative person appointed by the CCA, shall have the sole right to impose any of the disciplinary measures referred to in subparagraph 2(b)(i) and (ii), and, if the conduct occurs during any competition, to suspend the Competitor/Coach from one game at the relevant competition.
  - (ii) Before imposing any disciplinary measure, the Manager of Event Operations, or other duly appointed person shall carry out an investigation including interviewing relevant witnesses and the involved Competitor/Coach.
  - (iii) The Manager of Event Operations' or alternative person's decision shall not be subject to appeal.
  - (iv) If Manager of Event Operations or alternative person feels that the impugned conduct arising during a competition warrants more than a one game suspension, he or she shall immediately recommend to the CCA's Chief Executive Officer that an impartial non-conflicted member of the CCA Board hold a hearing at the relevant event city to determine whether or not further suspensions are appropriate. If the impugned conduct occurs outside a competition (3(a)(ii)) and the appointed alternative person recommends Section 3(b)(iii) or (iv) disciplinary measures he or she shall make a similar recommendation to the CCA's Chief Executive Officer that a impartial non-conflicted member of the CCA board hold a hearing.

- (v) Upon receipt of such recommendation, the Chief Executive Officer shall forthwith identify an impartial non-conflicted member of the CCA Board to convene such a hearing.
- (vi) The board member so appointed shall convene a hearing at the event city as soon as possible but, no later than 24 hours after his/her appointment, and he/she shall give notice to the Manager of Event Operations or alternative person and to the impugned Competitor/Coach of the time and place of the hearing.
- (vii) The Competitor/Coach and Manager of Event Operations or alternative person shall have the right to representation by legal counsel at the hearing, to present evidence by way of affidavit, and to present argument. For sake of expedience and cost reduction, the hearing may proceed by way of written submissions, and/or telephone conference or video conference with such safeguards built in as the adjudicating board member feels necessary to protect the parties.
- (viii) At the conclusion of the hearing, the adjudicating board member shall either:
  - (a) dismiss the recommendation for further suspension; or
  - (b) suspend the impugned Competitor/Coach from one or more of the remaining games at the relevant event, or in the case of conduct referred to in 3(a)(ii) from the next competition,
  - (c) recommend further suspensions as referred to in paragraph 3(c)(x) below.
- (ix) The decision of the adjudicating board member concerning suspensions from one or more of the remaining games at the relevant event shall not be subject to appeal or further hearing.
- (x) If the adjudicating board member finds that the improper conduct warrants consideration by the CCA Board for suspension from other competitions or in the case of conduct referred to in 3(a)(ii) above, from competitions other than the next competition, or for dismissal from a team representing the association, he or she shall prepare and deliver a report to the CCA President and to the impugned Competitor/Coach setting out all relevant facts found at the hearing, brief summaries of witnesses statements indicating which portions were accepted and which portions were rejected, disciplinary measures recommended, and the reasons for the disciplinary measures recommended, within five (5) days after the conclusion of the hearing.
- (xi) The impugned Competitor/Coach shall have ten (10) days after receipt of such report to prepare and deliver a written reply to the CCA Board. The Board shall meet, as soon as reasonably

possible after the reply to the report has been received, or the ten (10) day period has elapsed, to consider the report and reply, if any.

(xii) After reviewing the report and reply, if any, the CCA Board shall determine what, if any, discipline measures should be imposed on the impugned Competitor/Coach, and shall advise him or her in writing forthwith after making such determination.

(d) Disciplinary measures imposed on a Competitor/Coach pursuant to 3(c)(xii) above shall be subject to the appeal procedure referred to in paragraph 4 below.

**4. Appeal procedures related to National Team status and/or AAP funding eligibility and subparagraph 3(c)(xii) above.**

(a) The following appeal process shall apply to,

(i) all decisions made by the CCA pursuant to paragraph 3(c)(xii) above, and

(ii) all disputes between Competitor/Coach arising out of a National Team Athlete agreement including but not limited to National Team eligibility and AAP funding eligibility.

(b) The party wishing to initiate the dispute settlement process set out below shall deliver a written request for mediation both to the CCA and to the SDRCC office at 2825-1 Place Ville Marie, Montreal, PQ H3B 4R4.

(c) The dispute shall then proceed to mediation in accordance with the SDRCC procedures which are available at [www.adrsportred.ca](http://www.adrsportred.ca) (the Code) or by contacting the Canadian Curling Association.

(d) The parties agree that the time limit referred to in RM-15 in Appendix 1 shall be 30 days.

(e) In the event the parties are unable to reach a settlement with the assistance of the SDRCC mediator, either party may, within 30 days after the mediation process has ended, submit the issues in dispute to arbitration pursuant to the SDRCC arbitration provisions attached as Appendix 1, and both parties agree that any issues so submitted to arbitration shall be finally determined by such arbitration in accordance with the provisions of the SDRCC CODE. In particular without limiting the generality of the application of the entire SDRCC CODE to the resolution of all disputes between the parties arising out of or connected in any way with this agreement, the parties agree that the arbitrator's award shall be final and binding on the parties and "shall not be open to question or review in a court." For greater certainty the arbitration proceedings shall not be subject to review by injunction, prohibition, judicial review, or other process or proceeding in a court and shall not be removable by certiorari or otherwise to a court.

(f) Notwithstanding the points above, for any matters related to the Athlete Assistance Program Nomination or de-carding, all appeals must follow the Policies and Procedures of Sport Canada's Athlete Assistance Program (AAP) Section 13.1 [http://www.pch.gc.ca/progs/sc/pol/athlete05/1\\_e.cfm](http://www.pch.gc.ca/progs/sc/pol/athlete05/1_e.cfm).

## 5. General Provisions

- (a) The dispute settlement provisions set out herein represent the sole and only recourse a Competitor/Coach or the CCA may have concerning the aforementioned disputes. Neither the Competitor/Coach nor the CCA shall attempt to resolve any such dispute in a court or in any other tribunal except as provided herein.
  
- (b) Where urgency such as when a Competitor/Coaches eligibility to participate in an imminent competition compels a shortening of the time lines set out above or skipping of any of the steps leading to final resolution of the dispute, the parties shall forthwith convene a telephone conference call or meeting to discuss the dispute and shall use their best efforts to agree to a process to resolve the dispute. In such cases the preferred process may be to submit the dispute to an urgent SDRCC arbitration. The provisions of this subparagraph 5(b) do not apply to disciplinary measures imposed pursuant to 3(c)(i) hereof.