



**CURLING CANADA**

**Policy Manual**

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## BACKGROUNDER

### WHO WE ARE

#### a. Registered Canadian Athletic Association

We are a Registered Canadian Amateur Athletic Association and are a non-profit association whose exclusive purpose and function is to promote amateur athletics in the form of Curling in Canada on a nation-wide basis. We are governed by the ***Canada Not-for-profit Corporations Act***. Under this legislation, the Board of Governors is duty bound to “manage or supervise the management of the activities and affairs of” Curling Canada. The Board exercises this duty through the development of policy and oversight of the CEO. The **Members** of Curling Canada are the Provincial, Territorial or Regional Curling Associations (Member Associations) incorporated as not-for profit corporations or societies within their applicable jurisdictions. At general meetings, Members vote to elect Board Members, appoint the financial auditor for the upcoming fiscal year, and enact or amend bylaws.

#### b. National Sports Organization (NSO/NSF Defined)

We are a National Sport Organization (NSO), funded through the Sport Support Program (SSP) for programming that supports the goals of the [Canadian Sport Policy](#).

The objectives of the SSP are to:

- increase opportunities to participate in quality sport activities for all Canadians, including under-represented groups;
- increase the capacity of the Canadian sport system to systematically achieve world-class results at the highest international competitions;
- contribute to the provision of technical sport leadership within the Canadian sport system; and
- advance Canadian interests, values and ethics in sport at home and abroad.

SSP provides funds to Curling Canada for activities that support the development of Canadian athletes and coaches. The results that are expected of Curling Canada include:

- providing national sport programs and services that are aligned with the Sport Support Program objectives;
- increasingly meeting established national accountability standards;
- expanding and strengthening program/policy collaboration;
- Providing opportunities to Canadians, including identified under-represented groups, to participate in curling;
- Fostering improved performances of Canadian athletes at Olympic and Paralympic Games, and senior world championships; and
- Ensuring that Canadians have access to quality sport programs and services.

#### c. NSO Responsibilities & Requirements

As an NSO we are both responsible and required to uphold the following:

- Governing all aspects of Curling within Canada – (i.e. rules, eligibility, membership)

- Managing high performance programs (Team Canada, Next Generation, Carded athletes, Support Services, Coaching, DTE)
- Selecting and managing national teams (Exclusive right to name teams to World and nomination to the Canadian Olympic and Paralympic Committee)
- Implementing national initiatives to develop and promote Curling (Club programs, CAP, learn to curl, feeder systems, school programs, on-ice programs)
- Providing professional development for coaches and officials in curling (coaching support, coach enhancement, Technicians, officials, umpires professional development)
- Proposing and supporting bids for international competitions in Canada (Worlds, Olympics, other competitions)

**d. Canadian Olympic /Paralympic Committee**

We are a member of the Canadian Olympic and Paralympic Committees and are dedicated to facilitating the goals of each respective committees in direct alignment with objectives of Curling Canada.

**e. World Curling Federation**

In keeping with Canada's role as a world curling leader, we aim to have a strong and consistent representation at the WCF General Assemblies. It is through our presence that we are able to consistently support the expansion of Curling Canada and its strategic objectives. Under the current constitutional framework of WCF, a member association's voice and vote is proportional to the number of curlers it represents in its own country.

## **MISSION, VISION, VALUES**

### **Mission**

The mission of Curling Canada is to encourage and facilitate the growth and development of curling in cooperation with our network of affiliates.

### **Vision**

Our current vision and beyond is to expand curling in Canada – from the grassroots to the highest levels of competitive play and ensure that it is strong and vibrant. Curling clubs and Associations in Canada will offer a wide variety of participation opportunities for all residents of their communities. Opportunities to participate will reflect the changing needs of the cultural mosaic and lifestyles of Canadians, and allow for a healthy cross section of recreational through competitive play. Furthermore, the management practices of clubs, member associations and Curling Canada will parallel those of successful businesses by always keeping the best interests of curlers in mind.

### **Values**

- Inclusivity through Curling
- Fairness in play
- Excellence in performance
- Authentic stakeholder engagement
- Genuine Fun
- Personal Growth

## **GOVERNANCE PRINCIPLES**

The Board of Governors of Curling Canada:

- Provides policy guidance, insight, advice, and support to the CEO (as gateway to the management team);
- Recognizes its ultimate responsibility to oversee CEO and organizational performance; guides and evaluates the CEO through established policies;
- Conducts useful two-way discussions about key decisions facing the company;
- Understands risks and ensures CEO delivers appropriate mitigation and management;
- Seeks out sufficient expertise from subject matter experts and stakeholders to add value to decisions;
- Takes time to define the roles and behaviours required by the Board and the boundaries of CEO and Board responsibilities;
- will be guided in its actions towards the delivery of a strategic business plan;
- will make itself aware of the environment and the risks associated with the delivery of the strategic plan by monitoring risk; and
- Carry out its functions broadly and openly, seeking the involvement of stakeholders as appropriate.

The Board will fulfill its mandate and responsibilities:

1. Ensuring the existence and delivery of a robust strategic plan and risk management tool;
2. Monitoring the CEO and their delivery of the plan; and
3. Providing insight and consultation through key Board committees.

## **OBJECTS OF THE ASSOCIATION**

*(As Updated at 2018 Annual Meeting)*

The Objects of the Association are:

- a) To be the national sport governing body for curling in Canada;
- b) To promote curling in Canada on a nation-wide basis;
- c) To establish and enforce the rules of the sport of curling in Canada as well as a process by which differences and disputes can be settled;
- d) To promote and conduct Canadian Curling Championships;
- e) To be an active and positive influence in international curling through positive participation with the World Curling Federation and other National Curling Associations;
- f) To respect and preserve the history and heritage of Canadian curling, and to recognize and honour the achievements of athletes and builders in the sport of curling.



## BOARD CHAIR POSITION DESCRIPTION

**ACCOUNTABILITY:** The chairperson serves and is accountable to the Board of Governors of Curling Canada (“CC”).

**AUTHORITY:** The chairperson has no formal authority to direct the Board or the affairs of CC, unless otherwise authorized. Like other Board members, the chair is entitled to make motions and vote on matters before CC. The chair may not, on behalf of CC, enter into contracts without the knowledge and approval of the Board.

**TIME COMMITMENT:** Twenty hours per month (Board meetings, preparing for Board meetings, attending special events etc.).

**TERM OF OFFICE:** Two-year term, renewable once

**RESPONSIBILITY:** The chair is, first and foremost, responsible for the effective functioning of the Board in its role of governing CC. All other duties are secondary.

• **Primary Duties:** In addition to the duties of every Board member, the chair is responsible for:

- Participating in the preparation of the Board’s meeting agenda
- Chairing all meetings of the Board of Governors
- Reviewing meeting minutes
- Enforcing rules of conduct as they apply to the Board and its individual members
- Coaching members of the Board
- Ensuring there is a process to evaluate the effectiveness of the Board
- Serving as spokesperson, together with the CEO, for CC
- Ensuring full and timely communication with members of the Board
- Ensuring the effectiveness of governing committees
- Preparing for and chairing the annual general meeting (AGM)
- The preparation of an annual statement from the Board (Board or governance report) for presentation at the AGM and inclusion in the annual report
- Co-signing contracts on behalf of CC

• **Secondary duties:** The chair may, with greater regularity than other members of the Board:

- Prepare recommendations for Board consideration
- Prepare recommendations for changes to by-laws
- Be available to the CEO for consultation purposes
- Represent CC at community meetings and events

• **Other duties:** Recognizing that the chair’s role is a voluntary one, the Board may formally authorize the chair to take on additional duties only if they do not interfere with any of the above.

**EX-OFFICIO STATUS:** To ensure effective communication, the chair will be an ex-officio member of all committees and may attend their meetings when needed.

**QUALIFICATIONS:** The chair must have:

- A commitment to, and a clear understanding of, the mission of the organization

- Knowledge of meeting procedures, governance policies and by-laws of CC
- Sufficient time to devote to his/her primary duties

**DEVELOPMENT & EVALUATION:** The chair shall regularly consult the Board on their expectations of the chair's role and assess his/her strengths and areas for improved effectiveness.

**REMOVAL OF CHAIR:** Unless otherwise indicated in the by-laws, the chair may be removed by a special resolution of the Board for which advance meeting notification has been given to all Governors, and where the resolution is duly moved and seconded and passed by a majority of Governors present.

## BOARD COMPETENCY FRAMEWORK

Each Governor must satisfy all of the attributes and commitments on this first page.

The Curling Canada board as a whole ideally adequately satisfies the eleven specific competencies identified in the table below; each Governor is expected to satisfy not less than three specific competencies. The goal is to have diverse and valuable perspectives amongst the Governors to bring to board discussions and decisions.

Each Governor must possess the following attributes:

- Independence and sound judgment – they have the courage to ask tough questions and voice their opinions. Their loyalty to the organization’s interests may demand that they express dissent and persist in requiring answers to their questions.
- Integrity – demonstrate personal integrity, are trustworthy, and insist the organization behave ethically.
- Long-term, strategic outlook.
- Commitment to the Risk based Governance model.
- Organizational Governance knowledge and experience at a somewhat complex organization.
- Knowledge of business issues and financial matters.
- Demonstrated ability to operate effectively as part of a diverse team.
- Continuous improvement mindset – including being open to new ideas, are strategically agile and responsive to change.
- Conflict resolution – they are oriented to resolve conflict, are resilient after it occurs and support board decisions once made.

Each Governor must be willing to:

- Understand and exercise her or his fiduciary responsibilities.
- Attend and contribute to Board and committee meetings – they are available, invest time and resources to understand and advance the organization and are passionate about the organization’s success.
- Devote the time and effort necessary to be an effective board member.

<b>Senior Leadership Experience</b>	<b>Risk</b>	<b>Project Management</b>	<b>Financial Literacy &amp; Operational Controls</b>
<p>Experience as a Senior/Executive leader in a government/public sector or private sector organization. Business development skills, global mindset.</p> <p>Political acumen.</p>	<p>Identifying principal risks of an organization.</p> <p>Designing and/or overseeing the equivalent of an enterprise risk management program.</p>	<p>Experience in leading change management.</p> <p>Experience in successfully leading/overseeing projects to successful completion.</p>	<p>Ability to read, understand and analyze financial statements.</p> <p>Experience with financial accounting standards, internal controls, audit, and reporting.</p> <p>Financial designation ideal.</p>

<p><b>Strategic Planning Strategic plan implementation, measurement and reporting</b></p> <p>Experience in leadership engagement with strategic plan, overseeing the measuring/reporting, and identification of strategic priorities.</p>	<p><b>People</b></p> <p>Talent acquisition and development in an organization.</p> <p>Overseeing, creating, managing Executive and senior leadership compensation and rewards program/s.</p> <p>HR designation ideal.</p>	<p><b>Communications and Stakeholder Relations</b></p> <p>Communications with members, employees and stakeholders.</p> <p>Demonstrated ability to facilitate healthy interactions/relationships and effectively deliver messaging in a diverse, multi-stakeholder environment.</p> <p>Experience and training in media and/or public speaking to large audiences.</p> <p>Experience in crisis communications strategy and delivery.</p>	<p><b>High Performance Team member</b></p> <p>Understands and brings the athlete experience and voice to the board table as a non-active athlete and/or coach and/or other team support member.</p> <p>Former athlete with relevant experience as a competitive curler. Ideally has represented Canada at a world, Scotties, brier and/or Olympic trials, and/or competed with a team who has won a Canada cup, finished on the podium at a brier or Scotties or has competed with a team who finished in the top 5 on the CTRS ranking system or has competed at the Paralympics or mixed doubles at a world or Olympic level.</p> <p>MET</p>
<p><b>Marketing/Brand</b></p> <p>Experience with brand and culture leading practices.</p> <p>Understand &amp; have experience with different client experience delivery models and leading practice.</p>	<p><b>Diversity, Equity and Inclusivity</b></p> <p>Ability to speak both conversational French and English languages.</p> <p>Individuals who identify as people with a disability, racialized people, people who identify as LGBTQ2S+, people who identify as non-binary, people who are indigenous.</p>	<p><b>Governance</b></p> <p>Possession of a director designation and/or prior Board experience</p> <p>Experience drafting, revising and engaging in policy and procedures that are concise and clear.</p> <p>Lawyer with relevant governance experience.</p>	

## Self-Assessment Tool

### Annex A: Individual Board Member Self-Evaluation

The following questions are posed so that individual Governors can self-evaluate their performance.

	Rating (1 low – 5 high)
1. Do I understand the mission of Curling Canada?	
2. Do I understand the role of the Governor within Curling Canada’s governance model?	
3. Am I knowledgeable about CC’s programs and services?	
4. Do I understand and support the role and responsibilities of the CEO?	
5. Do I follow trends and important developments related to CC and do I understand the risks that CC faces?	
6. Do I read and understand the financial statements?	
7. Do I come prepared for meetings, having read and reviewed all the materials prior to the meeting ?	
8. Do I participate and contribute at Board meetings?	
9. Am I respectful of my fellow Governor’s time when we meet?	
10. Do I support the Board decisions regardless of how I voted?	
11. Do I act as a good-will ambassador for the board and the sport?	

12. Do I encourage individuals to serve on this board?	
13. Do I find serving on the board to be a satisfying and rewarding experience?	
14. Do I make a difference by sitting on the Board?	

**Annex B Board Evaluation – Performance of Board on its Core Responsibilities**

<b>1. Clarify mission and vision</b>	Description of performance	Performance 1 (poor) to 5	Comments
Common Understanding of mission	All board members share a common understanding of the mission that has been stress tested through discussion		
Common understanding of what CC aspires to become in 5 years)	All board members share common understanding of where CC wants to be in 5-10 years; vision is well documented with concrete goals.		
Use of mission and vision in policy/strategy decisions	All major policy/strategy discussions include consideration of fit with mission and vision		
Process for raising mission and vision issues	Formalized process (e.g., board retreats) to foster active board member participation in examining issues		

<b>2. Develop and deliver Strategic Plan</b>	Description of performance	Performance 1 (poor) to 5	Comments
Process for strategic planning and quality of board participation	Formal process for board involvement that specifies broad framework (timing and content) for strategic planning; joint board and staff ownership of strategic plan; active discussion by the entire board on risks and priorities		
Quality of strategic plan	Robust plan covers all key strategic elements; agreed upon program outcomes are tightly linked to risk analysis, mission and vision and results are tracked and evaluated.		
Agreement on the distinction between board level and management-level decisions	Board and CEO have a shared understanding of roles (policy vs. operations); frequent interaction between CEO and Board Chair; effective working relationships between operations and policy while respecting decision-making authority		

<b>3. Select, evaluate and develop CEO</b>	Description of performance	Performance 1 (poor) to 5	Comments
Succession planning	Understands potential source of future CEO and keeps contract current		

Evaluation	Provides regular feedback to the CEO through the Board Chair and annually evaluates performance against agreed-upon objectives		
Development	Provides opportunities for the CEO to enhance skills		

<b>4. Financial resources</b>	Description of performance	Performance 1 (poor) to 5	Comments
Financial needs assessment	Board works with CEO as a part of risk analysis and strategic planning to ensure resources are linked to priorities; Approves budget		
Tracking and reporting	The Finance and Audit Committee and CEO track and report on CC financials to the Board and Members		
Fiduciary and other regulatory compliance	Board ensures timely, independent audit of results and internal processes; board understands compliance required to regulatory bodies; feedback from auditors/regulators forms basis of recovery plan monitored by board		
Risk management	Board annually reviews potential sources of financial risk and mitigation plans; Contingency is in place for emergencies.		



<b>5. Reputation and brand</b>	Description of performance	Performance 1 (poor) to 5	Comments
Understanding	Performance 1 (poor) to 5		
Participation	Board members proactively reach out in the community to build awareness of CC and the sport; board members seen to be very effective ambassadors.		

<b>6. Monitor Organizational Performance</b>	Description of performance	Performance 1 (poor) to 5	Comments
Process for monitoring performance	Board routinely monitors and discusses the performance of program/organization and uses results to inform the strategic plan, resource allocation, and evaluation of the CEO		
Board understanding of accountability	Board identifies primary stakeholders and ensures that performance results are communicated effectively to them		

Process for obtaining and using feedback from stakeholders	Board has formal processes in place to obtain feedback from stakeholders without filters by the staff; board ensures that the results from the stakeholder feedback are used to inform strategies and resource allocation		
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<b>7. Improve board performance</b>	Description of performance	Performance 1 (poor) to 5	Comments
Goal setting for the board is a follow-on to strategic planning	Board translates the strategic plan for the organization into a set of concrete goals for the board and board committees, including timelines and required staff support		
Evaluation of board performance against goals	Board evaluates its performance, its chair and committees against defined goals.		
Process for evaluating individual director	Self assessment to evaluate individual performance annually and opportunities to help a Governor give his/her best to the organization.		
Developing a plan for improving board performance over time	Formal process (e.g., annual self assessment) results in a clear plan for improvement; board collectively believes in continuous improvement in its value to the organization.		

Board Education	Formal plan that includes orientation of new Governors and learning opportunities for key issues		
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## BOARD COMMITTEES FRAMEWORK

Committees are an essential tool for the effective and efficient functioning of a not-for-profit corporation's Board of Governors.

A well-designed committee structure allows a Board to focus expertise strategically and then to manage the flow of information so governors are not overwhelmed by unnecessary material that can thwart good decision-making at the Board table.

Committees receive delegation of a specific area of responsibility from the Board. The committee then is accountable for seeking and reviewing information, developing a cohesive view and then making recommendations to the Board, or exercising delegated authority.

Effective use of committees can improve the organization's ability to effectively address and deliver against multiple areas of its mandate. That being said, while the Board may delegate some responsibilities to committees, the Board retains ultimate oversight responsibility for the organization.

Standing committees are permanent Board committees that are responsible for on-going concerns of the Board. At Curling Canada we have 4 standing committees:

1. Finance and Audit/Risk
2. Governance
3. Human Resources
4. International

The following standards will be practices for all committees:

- The Board appoints the committees on the recommendation of the Chair. There will be minimum three Board members of each committee and no more than five members.
- All Committees are led/chaired by a Board member
- External experts are permitted to be part of the committee based on skills and experience related to that particular committee. They are appointed for a one-year term and can be reappointed annually if parties agree.
- Board Chair is ex. Officio on all committees and CEO has a standing invitation to all committee meetings. They do not vote.
- Other staff may be required members to attend committee meetings (e.g. COO/CFO attendance at Finance and Audit Committee meetings)

### **Enterprise Risk, Finance and Audit:**

This committee provides oversight over the organization's assets, financial structure, investments, internal controls, preparation and audit of financial statements, and risk monitoring. It will also monitor the philanthropic arm of the organization.

## **Governance:**

This committee provides oversight of Board practices and performance. It provides recommendations on Board policies and by-laws. The committee is also responsible for overseeing elections of governors by its members.

## **Human Resources Committee**

This committee provides oversight to the selection, compensation and succession of the CEO. This committee also has oversight to the nomination, assessment and selection of governors for the members to vote upon.

## **International Committee**

This committee provides oversight to the formation and articulation of member concerns at the international level and is related to Curling Canada's membership in the World Curling Federation. This committee recommends to the Board the composition of the international delegation, with voting power, to World Curling Federation Meetings.

## **Ad hoc committees**

These are temporary committees struck to address a specific issue and require specific terms of reference.

<b><u>Committee</u></b>	<b><u>Board Members</u></b>	<b><u>Board Led</u></b>	<b><u>External Expertise</u></b>	<b><u>Skills needed</u></b>	<b><u>Other Attendees</u></b>	<b><u>Comments</u></b>
Finance and Audit/Risk	Minimum 3 Maximum 5	Yes	Allowed Up to 2 MA Presidents	CPA/CFA Finance Risk Skills	Chair (ex. Officio) CEO EDCS/CFO	Requires separate meeting with Auditors
Governance	Minimum 3 Maximum 5	Yes	Allowed	Governance and Legal	Chair (ex. Officio) CEO	May have external experts assist with policy development or Board evaluations
HR/Nominating	Minimum 3 Maximum 5	Yes	Allowed	HR, Stakeholder Relations	Chair (ex. Officio) CEO	May have external experts assist with recruitment, succession planning, etc.
International	Minimum 3 Maximum 5	Yes	No	International Relations and Board knowledge/Issues Management	CEO	Requires meetings with other members of international committees
Ad Hoc	Per requirements	Not required	Allowed	As required		May be an operational committee that requires Board expertise and/or linkages

## **DUTIES OF COMMITTEE CHAIRS**

1. Plans and coordinates the committee's work for the year in accordance with the goals of Curling Canada and the committee's terms of reference.
2. Ensures that all committee members have signified their adherence to the code of conduct.
3. Keeps committee members fully informed; in particular, committee members should be informed of the times of all meetings, an agenda should be sent out in advance, and minutes should be filed after the meeting.
4. Replies promptly to all inquiries concerning issues related to the committee's work.
5. Sends information copies of all correspondence to the Curling Canada Chair and to the CEO.
6. Approves committee minutes and returns to the Curling Canada office as soon as possible after committee meetings for filing all committee reports as directed by the Board.
7. Assesses the performance of committee members and acts accordingly
8. Reports on committee activity regularly, to the Board.

## **HUMAN RESOURCES COMMITTEE**

Terms of Reference Approved by the Board of Governors: October 26, 2019

The Human Resources Committee is a standing committee of the Board and assists the Board of Governors in meeting its fiduciary oversight obligations in relation to human resource matters.

The Committee mandate is to:

1. Attract, engage and retain an excellent leader at the CEO position who is committed to the Curling Canada mission statement, core values and leadership principles;
2. Oversee and make recommendations to the Board regarding CEO performance and compensation;
3. Develop and regularly review the job description for the CEO;
4. Oversee a robust succession management process for the CEO position;
5. Review and ensure organizational approach to compensation and performance is appropriate, including review of human resources policies;
6. Review and provide guidance into significant organizational structure changes to align with approved strategy;

7. Approve and provide guidance around compensation framework affecting Executive level employees;
8. Ensure key people risks facing Curling Canada are identified, understood and properly mitigated;
9. Develop and review annually job descriptions for the Board Chair, the Committee Chairs and Governors generally;
10. Make recommendations to the Board on matters of Board and CEO conduct;
11. Oversee and administer the process and priorities for recruitment and the election of new Governors;
12. Develop and regularly review roles and responsibilities for Liaisons to Championships and Liaisons to Member Associations;
13. Annually create and report to the Board on a work plan for the Human Resources Committee; and
14. Periodically and at least annually review and recommend any changes to the Human Resources Committee mandate.

Human Resources Committee Composition:

The Committee shall be comprised of no fewer than three and no more than five Governors appointed by the Board.

1. The Committee may appoint one additional member who is not a Governor for a one-year term, renewable annually by the Committee for additional one-year term.
2. The Chair of the Committee shall be appointed annually by the Board.
3. The Chair of the Committee shall be an elected member of the current Board.
4. The Board Chair will be an ex-officio member of the Committee.
5. Committee members shall be named within 15 days of the post-NCC Board meeting.
6. Any Governor who is not appointed to the Committee may join meetings of the Committee by communicating with the Chair of the HR Committee in advance to provide notice of their intent to join and the purpose of their attendance. Any such Governor is not entitled to vote on matters before the Committee and cannot attend in-camera sessions of the Committee, unless invite by the Chair.
7. Committee members shall be named within 15 days of the post-NCC Board meeting.

## Resources:

1. The CEO will have a standing invitation to attend all meetings of the HR Committee as a resource.
2. Staff and resource support as assigned by the CEO.

## **GOVERNANCE COMMITTEE**

Terms of Reference Approved by the Board of Governors

The Governance Committee is a Standing Committee of the Board and assists the Board of Governors in meeting its fiduciary oversight obligations in relation to governance matters and, in particular, to agreed-upon governance principles.

Fundamental to this is the identification of governance practices and standards that encourage effective Board decision-making.

The Committee mandate is to:

1. Recommend governance processes and procedures for the assessment of Board and Committee meeting effectiveness and ensure that regular assessments are made.
2. Orient newly appointed Governors in the functioning and policies of the Board and ensure continuous governance learning, development and training for all Governors and Members.
3. Review the Policy Registry and associated documents including Committee mandates, as part of a continuous improvement model to respond to evolving needs of Curling Canada and evolving governance standards.
4. Review and recommend changes to the By-laws as required.
5. Evaluate and ensure effectiveness of Board consultation and communication policy.
6. Annually create and report on a work plan for the Governance Committee; and,
7. Annually review and recommend any changes to the Governance Committee mandate.

Governance Committee Composition:

1. The Governance Committee shall be comprised of no fewer than three Governors and no more than five Governors appointed by the Board.
2. Upon the recommendation of the Committee, the Board may also appoint subject area specialists from outside the Board of Governors for a one-year term, renewable annually by the Committee for additional one-year term.



3. The Chair shall be appointed annually by the Board from among the Governance Committee members. The Chair of the Committee shall be an elected member of the Current Board.
4. The Board Chair will be an ex-officio member of the Committee.
5. Committee members shall be named within 15 days of the post-NCC Board meeting.
6. Any Governor who is not appointed to the Committee may join meetings of the Committee by communicating with the Chair of the Governance Committee in advance to provide notice of their intent to join and the purpose of their attendance. Any such Governor is not entitled to vote on matters before the Committee and cannot attend in-camera sessions of the Committee, unless asked by the Chair of the Committee

Resources:

1. The CEO will have a standing invitation to attend all meetings of the Governance Committee as a resource.
2. Staff support as assigned by the CEO.
3. The Committee shall be provided sufficient resources to engage third parties as needed to assist with its mandate as authorized by the Board.

<b>ENTERPRISE RISK, FINANCE AND AUDIT COMMITTEE</b>
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The Enterprise Risk, Finance and Audit Committee is a Standing Committee of the Board and assists the Board of Governors in meeting its fiduciary oversight obligations in relation to risk, finance and audit matters, and in particular to the area of compliance to the financial and risk policies of the organization.

The Committee Mandate is to:

1. Conduct pre-Board meeting assessment of compliance of the budget to financial policies, risk tolerance policies and delegated authorities;
2. Conduct assessment of compliance to financial policies, risk tolerance policies and delegated authorities of any material changes in the budget that occur in a current fiscal year prior to CEO presentation to the Board;
3. Conduct pre-Board meeting review of the audited statements prior to presentation to the Board to assess compliance to financial policies, risk tolerance policies and delegated authorities and identify any areas that require policy modifications;
4. Conduct an annual review of financial policies, risk tolerance policies and delegated authorities and suggest changes in policy content;

5. Conduct pre-Board meeting review of the CEO's compliance to financial policies, risk tolerance policies and delegated authorities;
6. Review and sign the Audit Planning Letter and suggest any required changes for future years to the Board;
7. Review its mandate on an annual basis in order to suggest any changes for the Board's consideration at the pre-NCC Board meeting; and
8. Review the performance of the Curling Canada Long Term Financial Reserve Fund and make policy recommendations around risk tolerance and investment strategy.
9. Review the effectiveness of the Capital Assistance Program and make policy recommendations around risk tolerance and investment strategy

#### Composition:

1. The Enterprise Risk, Finance and Audit Committee shall be comprised of no fewer than three Governors and no more than five Governors appointed by the Board;
2. Up to two additional members who may be Member Association representatives OR individuals with relevant professional or business experience appointed from outside the Board of Governors;
3. The Executive Director Corporate Services of Curling Canada, who will be a mandatory staff resource at all regular meetings of the committee but not a committee member.
4. The Chair of Curling Canada will be Ex-Officio.
5. The Chair shall be appointed annually by the Board from among the Enterprise Risk, Finance and Audit Committee members and must be a Governor of Curling Canada.
6. Committee members shall be named within 15 days of the post-NCC Board meeting.

#### Resources

1. Staff support as assigned by the CEO.
2. The Committee shall be provided sufficient resources to engage third parties as needed to assist with its mandate as authorized by the Board, in particular the auditor who shall be appointed by the members at the NCC.
3. The CEO and Executive Director Corporate Services shall attend all regular meetings of the Risk Enterprise, Finance and Audit Committee except the Risk Enterprise, F & A Committee and Auditor-Only Meetings. Notwithstanding, the Risk Enterprise, F & A Committee may meet on its own at any time.

## INTERNATIONAL COMMITTEE

Terms of Reference approved: Board of Governors' Meeting October 27, 2019

The International Committee is a standing committee of the Board and assists the Board of Governors in meeting its fiduciary oversight obligations in relation to Board representation at the WCF meetings, including the annual congress and AGM.

The Committee mandate is to:

1. Review and make recommendations to the Board on the criteria for individual/s to be appointed to Curling Canada's delegation at WCF meetings.
2. Assess the effectiveness of and value of delegate/s representation at WCF meetings.
3. Make recommendations to the Board on the number of delegate/s who will attend scheduled WCF meetings.
4. Review and make recommendations to the Board on Canada's intended voting position on motions brought forward to WCF general meeting/s.
5. Develop strategy for Canada's leadership at the WCF meetings including drafting and recommending motions to the Board for Canada to bring forward to WCF general meeting/s.
6. Act as a direct link for delegate/s to consult with on issues that arise at WCF meetings when delegate/s deem it necessary and/or advantageous.
7. Act as a direct link for the WCF and other international member nations to consult on issues that arise between WCF meetings and liaise between those groups and the Board.
8. Annually create and report on a work plan for the International Committee; and
9. Periodically and at least annually review and recommend any changes to the International Committee mandate.

Composition:

1. The Committee shall be comprised of not less than 3 and not more than 5 Governors appointed by the Board.
2. The Committee may appoint one additional member who is not a Governor for a one-year term, renewable annually by the Committee for an additional one-year term.
3. The Chair of the Committee shall be an elected member of the current Board of Governors.

4. The Board Chair will be an ex-officio member of the Committee.
5. Committee members shall be named within 15 days of the post-NCC Board meeting.
6. Any Governor who is not appointed to the Committee may join meetings of the Committee by communicating with the Chair of the Governance Committee in advance to provide notice of their intent to join and the purpose of their attendance. Any such Governor is not entitled to vote on matters before the Committee and cannot attend in-camera sessions of the Committee, unless invited by the Chair of the Committee.

Resources:

1. The CEO will have a standing invitation to attend all meetings of the International Committee as a resource.
2. Staff support and resources as assigned by the CEO.

## **ATTENDANCE**

### **Purpose**

Curling Canada (“CC”) is led by its Board of Governors and relies on its leadership to guide the Organization. This policy is intended to facilitate the full participation and contribution of all Board members.

### **Policy Statement:**

**Members of the Board of Governors are expected to attend all Board and Committee meetings, in person or by telephone, as may be required by the Chair.**

### **Attendance issues**

1. A Board attendance issue occurs when a Board member has, in regard to regularly scheduled Board or Committee meetings: (a) an un-notified absence; (b) two notified absences in a row; or (c) missed three meetings in a twelve-month period. Notified absences occurring because of a leave (such as leaves from employment for any reason) do not constitute an attendance issue.
2. If an attendance issue occurs, the Chair will promptly contact the Board member to discuss the barriers to the member attending the meeting(s). The member’s response shall be shared with the Board at the next meeting.
3. The Board shall vote on whether or not to (a) request that the CC members terminate the absent member’s membership on the Board at the next AGM and/or (b) terminate the absent member’s membership on the Committee.
4. If the Board votes to terminate the Board member’s participation on either the Board or a Committee, the Chair shall provide a written notice of the Board’s decision to the Board member in question within two weeks of said vote.

## **BOARD CHAIR ELECTION PROCEDURES**

This policy applies to the election of the Board Chair, whether after the conclusion of the Annual General Meeting (“**AGM**”) or in the case of a temporary absence or a vacancy mid-term. The purpose of this policy is to provide clarity of process for Board members who are tasked with electing their Chair.

### **Acting Chair**

An Acting Chair is a temporary Chair, fulfilling the duties of the regular Chair, during a period of temporary absence (for reasons including but not limited to illness or vacation) or due to a vacancy in the position and pending the return or election of the regular Chair.

The incumbent Board of Governors shall have the right to appoint an Acting Chair whenever the position of the Chair is temporarily vacant. In the case of the period between the end of the AGM (when the term of the current Chair has expired) and the election by the incoming Board of Governors of the new Chair, the out-going Board of Governors will have the right to appoint an Acting Chair who will serve until the election of the new Chair has concluded.

### **Candidates for the position of Chair**

Any current member of the Board of Governors may run for election as Chair. However, the Acting Chair will not put himself or herself forward as a candidate for Chair.

### **Election of Chair**

At the first meeting of the Board of Governors after the AGM (to be conducted as soon as reasonably possible after the AM and in any event not later than two weeks after the AM), the first order of business shall be the election of a new Chair.

The election process will supervised by the Parliamentarian, the Auditor, or such other independent third party (the “**Monitor**”), as may be required and available in the circumstances, in accordance with the procedures outlined below. If the election cannot be held, in person, within two weeks after the AM, the Monitor may oversee the collection and tabulation of votes by email.

### **Results of the Election**

Upon the conclusion of the election, the Monitor shall report the results to the Board members and the duties of the Acting Chair will cease.

### **Election Procedures**

*(Election procedures are currently being updated)*

## DELEGATION OF AUTHORITIES POLICY

The Board of Governors of Curling Canada (“CC”) embraces the principle of empowerment: that governance and management are more effective and efficient when they are separated and when management decision-making authority is delegated as far into the organization as is consistent with levels of competence and capacity. Within the limits and policies established by Articles of Incorporation and Bylaws, and by the CC Board of Governors, authorities regarding various aspects of operations have been delegated to the CEO (and by the CEO to other members of staff and/or volunteers) as outlined in this policy.

### PURPOSE

This Delegation of Authorities Policy defines the limits of authority designated to specified positions of responsibility within CC and establishes the types and maximum amount of obligations that may be approved by individuals or groups of individuals. The approval of commitments and transactions outlined in this policy must always be made by the parties that have designated the responsibility for final approval.

Both staff and Board members should be aware that conduct that violates this policy is always considered outside the scope of their position. Violating the policy could significantly damage CC and expose it to unacceptable levels of risk and unintended legal and/or commercial liabilities. Individuals who violate this policy are subject to appropriate disciplinary action, including possible termination of employment (for staff) or dismissal from the Board of Governors.

The Chair and the CEO should take all necessary steps to ensure that Board members and staff are aware of and follow this policy.

### OVERVIEW

This policy sets out the nature and extent of the authority formally delegated from the Board to the CEO and from the CEO to staff.

The Board reserves to itself, except to the extent that such power has been delegated to the CEO, control over its statutory obligations and key strategic directions and controls and monitoring of all risks that may significantly impact the Association.

The role of the Board of Governors is to **govern**. In addition to matters expressly required by law to be approved by the Board, powers specifically reserved for the Board are as follows:

- Appointing and removing the CEO and determining his or her terms and conditions of employment (including remuneration);
- Reviewing and approving each of the following:
  - Systems of governance, risk management and internal control, codes of conduct and legal compliance;
  - Financial statements and reporting; and
  - Any matters in excess of discretions that, from time to time, may have delegated been to the CEO.

- Approving each of the following:
  - Strategic Plan;
  - Annual Operational Plan (prepared by the CEO);
  - Annual operating budget (prepared by the CEO);
  - Material changes to the corporate structure;
  - The acquisition, establishment, disposal or cessation of any significant business or real estate of the organization; and
  - Any public statements that reflect significant issues of CC's policy or strategy.

The role of the CEO is to **manage**, which is broadly to:

1. Act as the executive officer to the Board, including advising and informing the Board on its governance role;
2. Work with the Board and Committees to reach agreed strategic and business outcomes within the appropriate budgetary and financial framework;
3. Manage all day-to-day affairs and activities of the organization, within the Board-endorsed strategic, policy, risk, and financial frameworks;
4. As required, attract, motivate and retain suitably qualified staff;
5. Provide reports, analysis and recommendations to the Board as required; and
6. Implement Board decisions.

The intention of this policy is to ensure that the correct balance of responsibilities is struck between governance and management in the best interests of CC members and other stakeholders. It is therefore specifically acknowledged that the:

1. CEO is empowered to manage and lead operations on a day-to-day basis;
2. Policy is intended to create the necessary platform to enable the CEO to manage and lead operations whilst preserving the Board's governing role;
3. The CEO's management and leadership role will include the input of the Board's vision, guidance and innovation wherever it is required; and
4. Policy is to be interpreted in this light to enable the CEO to manage the operations on a day-to-day basis.

## **PRINCIPLES OF DELEGATION**

The key principles upon which this Delegation of Authorities is based are as follows:

### *Practicality*

The delegation of authority to the CEO and other individuals should be clear, concise and practical.

### *Accountability*

The trail of accountability for decision-making needs to be clear and must remain intact always in terms of the sub-delegation of authority by the CEO or others.



### *Sub-delegation*

The CEO will have the ability to delegate his or her authority to others if, so far as the Board is concerned, the CEO will remain responsible for such decision-making.

### *Board reporting*

It is essential that the Board receives adequate and timely reporting of the use of delegated authority by the CEO (particularly any unbudgeted or discretionary authority) so that the Board can be fully informed at all times.

### **DELEGATED CEO AUTHORITIES**

<b>CATEGORY</b>	<b>AUTHORITY DELEGATED TO CEO</b>
<b>FINANCE</b>	
Operating expenditures (budgeted)	Full authority if part of a Board-approved budget Additionally, each line item within and the Board-approved budget may be varied by \$100,000
Operating expenditures (unbudgeted)	Subject to Board approval, unless within budgeted operating reserves/management contingency
Expenditures from Board Reserve	Subject to Board approval
Bank deposits, bank accounts, credit cards	Full authority except as follows: Purchase of term deposits: Subject to approval of Enterprise Risk, Finance and Audit ( <b>ERF&amp;A</b> ) Committee
Sale of non-depreciable assets (i.e. real estate)	Subject to Board approval
Cap loans	Full approval up to \$25,000 per loan based on business case approved by CFO and Director of Club Development, not to exceed \$125,000 total CAP loans per year
<b>CONTRACTS</b>	
Sponsorship contracts including national and international marketing partnerships, broadcast agreements, sponsorships, licensing agreements, merchandising contracts, titling contracts	Full authority
Supply contracts including service contracts, lease agreements,	Full authority within the limits of a Board-approved budget and in accordance with the terms of any CC procurement policies

hosting agreements, venue agreements	Contracts longer than 4 years duration: co-signed by Chair
Revenue contracts including funding agreements, grant applications	Full authority
RFP's, tender documents	Full authority within limits of Board-approved budget and any procurement policies
<b>GOVERNANCE</b>	
Any material change to CC corporate structure or RCAA status	Subject to direction and approval of Board
Any change to mission or vision	Subject to direction and approval of Board
Public statements, publications, and membership newsletters	Full authority
Publication of conference papers and speeches	Full authority
<b>HUMAN RESOURCES</b>	
Appointing staff, creating new positions, replacing existing positions	Full authority if in accordance with current approved Board budget
Terminating staff or re-position staff roles	Full authority
Remuneration of staff	Full authority to structure and set remuneration, subject to the terms of any remuneration policies and in accordance with current Board-approved budget Bonus and incentive schemes are subject to Board approval
Approval of business-related expense claims	Full authority for all staff
<b>LEGAL</b>	
Obtaining legal advice in the normal course of business	Full authority
Settling litigation claims, legal disputes and staff claims	Subject to Board approval
Non-disclosure (confidentiality) agreements	Full authority

## **PROCEDURES**

### *Reporting to the Board*

All breaches of delegated authority will be reported to the Board in writing at the next Board meeting. If a serious breach of delegated authority occurs, the CEO will immediately report this to the Board.

### *Delegation of Authority from the CEO*

All delegations of authority must be documented by way of a signed memorandum.

Commitments and transactions cannot be approved by individuals having a lower level of authority than the specified transaction requires, except pursuant to a delegation of temporary authority. Temporary authority may be designated whenever an individual with approval authority will be unavailable for prolonged periods. The temporary authorization is to be in writing and specify the effective length of time.

## TRAVEL AND EXPENSE POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Representatives”* – individuals who are travelling on behalf of Curling Canada business. Representatives can include employees, volunteers, coaches, members of committees, members of the Board of Governors, staff, and contractors.

### Purpose

2. Representatives traveling on behalf of Curling Canada business may be reimbursed for their travel expenses. All employee be pre-approved by the employee's manager. Employees must make all reasonable efforts to select cost effective travel solutions (e.g., economy class). Similarly, members of the Board of Governors must have approval from the Chair. All other representatives must have approval to travel from their supervisor, head coach or committee chair, as applicable.

### Reimbursement

3. Representatives traveling on behalf of Curling Canada will be reimbursed for all travel at the following rates:
  - a) Use of own car: \$0.45 per kilometer, including applicable taxes
  - b) Meal Allowance:
    - i. \$75.00 per day within Canada, including applicable taxes (\$15.00 breakfast; \$20.00 lunch; \$40.00 dinner);
    - ii. \$95.00 per day international, including applicable taxes (\$20.00 breakfast; \$20.00 lunch; \$55.00 dinner).
  - c) Airfares: When booking travel, all Representatives must use the most economical airfare available (i.e. if flying Air Canada, a Tango fare must be purchased). Representatives are required to use Uniglobe (CC's Travel Agent)
  - d) Other expenses: Receipts must be submitted before reimbursement can be made. (i.e., hotel bills, taxi and parking receipts, etc.)
4. Travel expenses will be reimbursed only for those days on which Representatives are required for Curling Canada as determined by meeting agendas, Chair requirements or CEO requirements.
5. Any deviation from this policy must be justified on the applicable expense claim or approved by the Representatives' supervisor.

## SCREENING POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) "*Criminal Record Check (CRC)*" – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
  - b) "*Local Police Information (LPI)*" – additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
  - c) "*Enhanced Police Information Check (E-PIC)*" – a Criminal Record Check plus a search of local police information, available from SterlingBackcheck
  - d) "*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
  - e) "*Vulnerable Individuals*" – A person under the age of 18 years old and/or a person who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority

### Preamble

2. Curling Canada understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

### Application of this Policy

3. This Policy applies to all individuals who are seeking to volunteer, work, or otherwise participate in Curling Canada's programs or activities and who are in a position of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
4. Not all individuals associated with Curling Canada will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Curling Canada or to its participants. Curling Canada will determine which individuals will be subject to screening using the following guidelines (Curling Canada may vary the guidelines at its discretion):

Level 1 – Low Risk - Individuals involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Individuals. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Individuals. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers

- c) Governors
- d) Coaches who are typically under the supervision of another coach

Level 3 – High Risk – Individuals involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Individuals. Examples:

- a) Full time coaches
- b) Coaches who travel with athletes
- c) Coaches who could be alone with athletes

### **Screening Committee**

5. The implementation of this policy is the responsibility of Curling Canada's Screening Committee which is a committee of either one (1) or three (3) members appointed by Curling Canada. Curling Canada will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately screening documents and render decisions under this Policy.
6. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
7. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Curling Canada. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
8. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
9. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
10. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
11. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
12. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to Curling Canada or its participants.

13. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
14. The Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to Curling Canada or its participants, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
15. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Governors, which may disseminate the decision as they see fit in order to best fulfil the mandate of Curling Canada.
16. An Individual whose screening application has been denied or revoked may not re-apply to participate in the Organization's programs or activities for two (2) years from the date the rejected application was made.

### **Screening Requirements**

17. It is Curling Canada's policy that when an individual is first engaged by Curling Canada:
  - a) Level 1 individuals will:
    - i) Complete an Application Form (**Appendix A**)
    - ii) Complete a Screening Disclosure Form (**Appendix B**)
    - iii) Participate in training, orientation, and monitoring as determined by Curling Canada
  - b) Level 2 individuals will:
    - i) Complete an Application Form
    - ii) Complete a Screening Disclosure Form
    - iii) Complete and provide an E-PIC
    - iv) Provide one letter of reference related to the position
    - v) Participate in training, orientation, and monitoring as determined by Curling Canada
    - vi) Provide a driver's abstract, if requested
  - c) Level 3 individuals will:
    - i) Complete an Application Form
    - ii) Complete a Screening Disclosure Form
    - iii) Complete and provide an E-PIC and a VSC
    - iv) Provide one letter of reference related to the position
    - v) Participate in training, orientation, and monitoring as determined by Curling Canada
    - vi) Provide a driver's abstract, if requested
  - d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Curling Canada. Additionally, the individual will inform Curling Canada of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

- e) If Curling Canada learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with Curling Canada's *Discipline and Complaints Policy*.

### **Young People**

- 18) Curling Canada defines a young person as someone who is younger than 18 years old. When screening young people, Curling Canada will:
  - a) Not require the young person to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
- 19) Notwithstanding the above, Curling Canada may ask a young person to obtain a VSC or E-PIC if Curling Canada suspects the young person has an adult conviction and therefore has a *criminal record*. In these circumstances, Curling Canada will be clear in its request that it is not asking for the young person's *youth record*. Curling Canada understands that it may not request to see a young person's youth record.

### **Renewal**

- 20) Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, VSC, or Screening Renewal Form, are required to submit the documents as follows:
  - a) An E-PIC every three years
  - b) A Screening Disclosure Form every three years
  - c) A Screening Renewal Form (**Appendix C**) every year
  - d) A Vulnerable Sector Check once
- 21) The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

### **Orientation, Training and Monitoring**

- 22) The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at Curling Canada's discretion.
- 23) Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
- 24) Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
- 25) At the conclusion of orientation and training, the individual may be required to acknowledge, in written form, that they have received and completed the orientation and training.



- 26) Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

#### **How to Obtain an E-PIC OR VSC**

- 27) Curling Canada has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Individuals can obtain an E-PIC via [https://www.sterlingtalentsolutions.ca/landing-pages/c/cac\\_ace/](https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/)
- 28) In Ontario, Curling Canada understands that the *Police Record Checks Reform Act, 2015* requires the individual to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
- 29) In BC, the process for obtaining a Criminal Record Check is different than in other provinces and territories and sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, the Screening Committee will provide individuals with directions pursuant to the following website: <https://www.viasport.ca/free-criminal-records-checks>
- 30) Individuals may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
- 31) Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
- 32) Curling Canada understands that it may be required to assist an individual with obtaining a VSC. Curling Canada may need to submit a Request for VSC (**Appendix D**) or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.
- 33) Screening documents must be submitted to the following individual:  
**Steven Indig, LL.B,**  
[sji@sportlaw.ca](mailto:sji@sportlaw.ca)
- 34) An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
- 35) Curling Canada understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, Curling Canada may permit the individual to participate in the role during the delay. Curling Canada may withdraw this permission at any time and for any reason.

- 36) Curling Canada recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
- 37) Following the review of the screening documents, the Screening Committee will decide:
- a) The individual has passed screening and may participate in the desired position;
  - b) The individual has passed screening and may participate in the desired position with conditions;
  - c) The individual has not passed screening and may not participate in the desired position;
  - or
  - d) More information is required from the individual.
- 38) In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
- 39) The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
- a) If imposed in the last three years:
    - i) Any offense involving the use of a motor vehicle, including but not limited to impaired driving
    - ii) Any offense for trafficking and/or possession of drugs and/or narcotics
    - iii) Any offense involving conduct against public morals
    - iv) Any offense involving theft or fraud
  - b) If imposed in the last ten years:
    - i. Any crime of violence including but not limited to, all forms of assault
    - ii. Any offense involving a minor or minors
  - c) If imposed at any time:
    - i. An individual's conviction for any of the following *Criminal Code* offenses:
      - a. Any offense of physical or psychological violence
      - b. Any crime of violence including but not limited to, all forms of assault
      - c. Any offense involving trafficking of illegal drugs
      - d. Any offense involving the possession, distribution, or sale of any child-related pornography
      - e. Any sexual offense

### **Conditions and Monitoring**

- 40) Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee may apply and remove conditions at its discretion and will determine the

means by which adherence to conditions may be monitored.

**Records**

- 41) All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
- 42) The records kept by Curling Canada as part of the screening process include but are not limited to:
  - a) An individual's Vulnerable Sector Check
  - b) An individual's E-PIC (for a period of three years)
  - c) An individual's Screening Disclosure Form (for a period of three years)
  - d) An individual's Screening Renewal Form (for a period of one year)
  - e) Records of any conditions attached to an individual's registration by the Screening Committee
  - f) Records of any discipline applied to any individual by Curling Canada or by another sport organization

## Appendix A – Application Form

**Note: Individuals who are applying to volunteer or work within certain positions with Curling Canada must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within Curling Canada, a new Application Form must be submitted.**

**NAME:**

---

First

Middle

Last

**CURRENT PERMANENT ADDRESS:**

---

Street

City

Province

Postal

**DATE OF BIRTH:**

\_\_\_\_\_

**GENDER IDENTITY:** \_\_\_\_\_

Month/Day/Year

**EMAIL:**

\_\_\_\_\_

**PHONE:** \_\_\_\_\_

**POSITION SOUGHT:** \_\_\_\_\_

By signing this document below, I agree to adhere to Curling Canada's policies and procedures, including but not limited to the *Code of Conduct and Ethics*, *Conflict of Interest Policy*, *Privacy Policy*, and *Screening Policy*. Curling Canada's policies are located at the following link: <http://www.curling.ca/about-curling-canada/>

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

**NAME (print):**

\_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

## Appendix B – Screening Disclosure Form

**NAME:**

\_\_\_\_\_  
First Middle Last

**OTHER NAMES YOU HAVE USED:** \_\_\_\_\_

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**CLUB (if applicable):** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges**

**1. Do you have a criminal record? If so, please complete the following information for each conviction. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.**

Name of disciplining or sanctioning body:  
\_\_\_\_\_

Date of discipline, sanction or dismissal:  
\_\_\_\_\_

Reasons for discipline, sanction or dismissal:

---

Penalty or Punishment Imposed:

---

Further Explanation:

---

**3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense:

---

Name and Jurisdiction of Court/Tribunal:

---

Name of disciplining or sanctioning body:

---

Further Explanation:

---

### **PRIVACY STATEMENT**

By completing and submitting this Screening Disclosure Form, I consent and authorize Curling Canada to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of Curling Canada's *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of sport. Curling Canada does not distribute personal information for commercial purposes.

### **CERTIFICATION**

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Curling Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may

result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

**NAME (print):**

\_\_\_\_\_

**DATE:**

\_\_\_\_\_

**SIGNATURE:**

\_\_\_\_\_

## Appendix C – Screening Renewal Form

**NAME:**

\_\_\_\_\_

First	Middle	Last
-------	--------	------

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_

Street	City	Province	Postal
--------	------	----------	--------

**DATE OF BIRTH:**

\_\_\_\_\_  
Month/Day/Year

**GENDER IDENTITY:** \_\_\_\_\_

**EMAIL:**

\_\_\_\_\_

**PHONE:** \_\_\_\_\_

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Curling Canada. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to Curling Canada. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Curling Canada's Screening Committee instead of this form.

**I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.**

**NAME (print):**

\_\_\_\_\_  
**SIGNATURE:**

**DATE:** \_\_\_\_\_

\_\_\_\_\_



## Appendix D – Request for Vulnerable Sector Check

### INTRODUCTION

Curling Canada is requesting a Vulnerable Sector Check for \_\_\_\_\_ [insert individual's full name] who

identifies as a \_\_\_\_\_ [insert gender identity] and who was born on \_\_\_\_\_ [insert birthdate].

### DESCRIPTION OF CURLING CANADA

Curling Canada is a not-for-profit national organization for the sport of curling located in Ottawa, Ontario.

### DESCRIPTION OF ROLE

\_\_\_\_\_ [insert individual's name] will be acting as a \_\_\_\_\_ [insert individual's role]. In this

role, the individual will have access to vulnerable individuals.

### CONTACT INFORMATION

If more information is required from Curling Canada, please contact the Screening Committee Chair:

Steven Indig, LL.B; [sji@sportlaw.ca](mailto:sji@sportlaw.ca)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## CODE OF CONDUCT AND ETHICS

### Definitions

1. The following terms have these meanings in this Code:
  - a) *“Individuals”* – Individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, parents and guardians and spectators at events, and Governors and Officers of Curling Canada
  - b) *“Abuse”* – As defined in Curling Canada’s *Abuse Policy*
  - c) *“Discrimination”* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.
  - d) *“Harassment”* – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
    - i. Written or verbal abuse, threats, or outbursts;
    - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
    - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
    - iv. Leering or other suggestive or obscene gestures;
    - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
    - vi. Practical jokes which endanger a person’s safety, or may negatively affect performance;
    - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual’s positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking 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 Curling Canada.

e) *“Sexual Harassment”* – A course of vexatious comment or conduct against an Individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:

- i. Sexist jokes;
- ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
- iii. Offering a benefit in exchange for a sexual favour;
- iv. Demanding hugs;
- v. Bragging about sexual ability;
- vi. Leering (persistent sexual staring);
- vii. Sexual assault;
- viii. Display of sexually offensive material;
- ix. Distributing sexually explicit messages or attachments such as pictures or video files;
- x. Sexually degrading words used to describe an Individual;
- xi. Unwelcome inquiries into or comments about an Individual’s gender identity or physical appearance;
- xii. Inquiries or comments about an Individual’s sex life;
- xiii. Persistent, unwanted attention after a consensual relationship ends;
- xiv. Persistent unwelcome sexual flirtations, advances, or propositions; and
- xv. Persistent unwanted contact.

### **Purpose**

- 2. The purpose of this Code is to ensure a safe and positive environment (within Curling Canada’s programs, activities, and events) by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Curling Canada’s core values. Curling Canada supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

### **Application of this Code**

- 3. This Code applies to Individuals’ conduct during Curling Canada’s business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Curling Canada’s activities, Curling Canada’s office environment, and any meetings.

4. An Individual who violates this Code may be subject to sanctions pursuant to Curling Canada's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Curling Canada's *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the competition.
5. Harassment, bullying, sexual violence, workplace harassment, or workplace violence alleged to have been committed against a worker in a workplace (defined in the *Workplace Harassment Policy*) will be addressed pursuant to the *Workplace Harassment Policy*.
6. An employee of Curling Canada found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any event of Curling Canada, will be subject to appropriate disciplinary action subject to the terms of any of Curling Canada's relevant and applicable policies as well as the employee's Employment Agreement (if applicable).
7. This Code also applies to Individuals' conduct outside of Curling Canada's business, activities, and events when such conduct adversely affects relationships within Curling Canada (and its work and sport environment) and is detrimental to the image and reputation of Curling Canada. Such applicability will be determined by Curling Canada at its sole discretion.

### **Responsibilities**

8. Individuals have a responsibility to:
  - a) Maintain and enhance the dignity and self-esteem of Curling Canada's members and other individuals by:
    - i. Treating each other with the highest standards of respect and integrity;
    - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or members;
    - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
    - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
    - v. Consistently treating individuals fairly and reasonably; and
    - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
  - b) Refrain from any behaviour that constitutes Harassment, Abuse, Sexual Harassment, or Discrimination

- c) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, Curling Canada adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Curling Canada's *Discipline and Complaints Policy*. Curling Canada will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Curling Canada or any other sport organization
- d) 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)
- e) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- f) Refrain from consuming tobacco products, or recreational drugs while participating in Curling Canada's programs, activities, competitions, or events
- g) In the case of minors, not consume alcohol, tobacco, or cannabis at any competition or event;
- h) In the case of adults, not consume cannabis in the workplace or in any situation associated with Curling Canada's events (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with Curling Canada's events
- i) Respect the property of others and not wilfully cause damage
- j) Promote the sport in the most constructive and positive manner possible
- k) Not place illegal bets of any type (defined as ventures involving a calculated risk and resulting in a potential gain/loss situation) upon athletic performance and/or event results/outcomes in the Olympic Games or Paralympic Games and any other competitive athletic event that falls within the jurisdiction of Curling Canada
- l) When driving a vehicle with an Individual:
  - i. Not have his or her license suspended;
  - ii. Not be under the influence of alcohol or illegal drugs or substances; and
  - iii. Have valid car insurance
- m) Adhere to all federal, provincial, municipal and host country laws
- n) Refrain from engaging in deliberate 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

- o) Comply, at all times, with Curling Canada's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time

### **Governors, Committee Members, and Staff**

- 9) In addition to section 7 (above), Curling Canada's Governors, Committee Members, and Staff will have additional responsibilities to:
  - a) Function primarily as a Governor or Committee Member or Staff Member of Curling Canada; not as a member of any other member or constituency
  - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Curling Canada's business and the maintenance of Individuals' confidence
  - c) Ensure that Curling Canada's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - d) Conduct themselves transparently, professionally, lawfully and in good faith in the best interests of Curling Canada
  - e) Be independent, impartial, and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
  - f) Behave with decorum appropriate to both circumstance and position
  - g) Keep informed about Curling Canada's activities, the sport community, and general trends in the sectors in which it operates
  - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Curling Canada is incorporated
  - i) Respect the confidentiality appropriate to issues of a sensitive nature
  - j) Respect the decisions of the majority and resign if unable to do so
  - k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
  - l) Clearly separate their personal political activities and retain the perception of impartiality when representing Curling Canada
  - m) Not engage in political or partisan activities during working hours (if applicable) or while performing duties on behalf of Curling Canada
  - n) Have a thorough knowledge and understanding of all of Curling Canada's governing documents
  - o) Adhere to the bylaws and policies approved by Curling Canada

### **Coaches**

- 10) In addition to section 7 (above), 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 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) 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) Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
- c) 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
- d) Support the coaching staff of a training camp, provincial team, or national team; should an athlete qualify for participation with one of these programs
- e) Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
- f) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
- g) Act in the best interest of the athlete's development as a whole person
- h) Comply with Curling Canada's Screening Policy, if applicable
- i) Report to Curling Canada any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
- j) 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
- k) Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
- l) Not engage in a sexual relationship with an athlete under the age of majority;
- m) Disclose any sexual or intimate relationship with an athlete over the age of majority to Curling Canada and immediately discontinue any coaching involvement with that athlete;
- n) Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
- o) Dress professionally, neatly, and inoffensively
- p) Use inoffensive language, taking into account the audience being addressed

### **Athletes**

- 11) In addition to section 7 (above), athletes will have additional responsibilities to:
  - a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;
  - b) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events

- c) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
- d) Adhere to Curling Canada's rules and requirements regarding clothing and equipment
- e) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
- f) Dress to represent the sport and themselves well and with professionalism
- g) Act in accordance with Curling Canada's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

### **Officials**

- 12) In addition to section 7 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rules changes
  - b) Not publicly criticize other officials or any club or association;
  - c) Work within the boundaries of their position's description while supporting the work of other officials
  - d) Act as an ambassador of Curling Canada by agreeing to enforce and abide by national and provincial rules and regulations
  - e) Take ownership of actions and decisions made while officiating
  - f) Respect the rights, dignity, and worth of all Individuals
  - g) Not publicly criticize other officials or any club or association
  - h) Act openly, impartially, professionally, lawfully, and in good faith
  - i) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
  - j) 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
  - k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time
  - l) When writing reports, set out the actual facts
  - m) Dress in proper attire for officiating

### **Parents/Guardians and Spectators**

- 13) In addition to section 7 (above), parents/guardians and spectators at events will:
- 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) Never ridicule a participant for making a mistake during a performance or practice
  - d) Provide positive comments that motivate and encourage participants' continued effort
  - e) Respect the decisions and judgments of officials, and encourage athletes to do the same



- f) Never question an official's or staff member's judgment or honesty
- g) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
- h) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
- i) Not harass competitors, coaches, officials, parents/guardians, or other spectators

### **Organizations**

- 14) Organizations that are affiliated with Curling Canada (such as Provincial/Territorial Organizations and Clubs) will:
  - a) Adhere to all of Curling Canada's governing documents and, where necessary, amend their own rules to comply or align with those of Curling Canada;
  - b) Recognize that their websites, blogs and social media accounts may be seen as extensions of Curling Canada and must reflect Curling Canada's mission, vision and values;
  - c) Ensure that all athletes and coaches participating in sanctioned competitions and events of Curling Canada are registered and in good standing;
  - d) Have well-defined hiring practices and standards in place including interviews, reference checks, and screening procedures to ensure athletes have a healthy and safe sport environment;
  - e) Ensure that any possible or actual misconduct is investigated promptly and thoroughly;
  - f) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated, regardless of the position or authority of the offender;
  - g) Advise Curling Canada immediately of any situation where a complainant has publicized a complaint in the media; and
  - h) Provide Curling Canada with a copy of all decisions rendered pursuant to the organization's policies for complaints and appeals.

## CONFLICT OF INTEREST POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Conflict of Interest”* – Any situation in which a Representative’s decision-making, which should always be in the best interests of Curling Canada, is influenced or could be influenced by personal, family, financial, business, or other private interests
  - b) *“Pecuniary Interest”* – An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated
  - c) *“Non-Pecuniary Interest”* – An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss
  - d) *“Representatives”* – Individuals employed by, or engaged in activities on behalf of, Curling Canada including: coaches, staff members, convenors, contract personnel, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada

### Background

2. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of Curling Canada. For example, in not-for-profit organizations, Governors are required, by law, to act as a trustee (in good faith, or in trust) of Curling Canada. Governors, and other stakeholders, must not put themselves in positions where making a decision on behalf of Curling Canada is connected to their own personal interests. That would be a conflict of interest situation.

### Purpose

3. Curling Canada strives to reduce and eliminate nearly all instances of conflict of interest at Curling Canada – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Representatives will conduct themselves in matters relating to conflict of interest and clarifies how Representatives shall make decisions in situations where conflict of interest may exist.
4. This Policy applies to all Representatives.

### Obligations

5. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Representative’s personal interest and the interests of Curling Canada, shall always be resolved in favour of Curling Canada.
6. Representatives will not:
  - a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with Curling Canada, unless such business, transaction, or other interest is properly disclosed to Curling Canada and approved by Curling Canada
  - b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment

- c) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise
- d) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with Curling Canada, if such information is confidential or not generally available to the public
- e) Engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of Curling Canada, or in which they have an advantage or appear to have an advantage on the basis of their association with Curling Canada
- f) Without the permission of Curling Canada, use Curling Canada's property, equipment, supplies, or services for activities not associated with the performance of their official duties with Curling Canada
- g) Place themselves in positions where they could, by virtue of being a Representative of Curling Canada, influence decisions or contracts from which they could derive any direct or indirect benefit
- h) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Representative of Curling Canada

#### **Disclosure of Conflict of Interest**

- 7. At the request of Curling Canada, any Director and candidate for election to the Board, Officer, Employee, coach, volunteer or member of a committee will complete a **Declaration Form** disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by Curling Canada.
- 8. Representatives shall disclose real or perceived conflicts of interest to Curling Canada's Board immediately upon becoming aware that a conflict of interest may exist.
- 9. Representatives shall also disclose any and all affiliations with any and all other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, or Director.

#### **Minimizing Conflicts of Interest in Decision-Making**

- 10. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by a Representative of Curling Canada will be considered and decided with the following additional provisions:
  - a) The nature and extent of the Representative's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted
  - b) The Representative does not participate in discussion on the matter
  - c) The Representative abstains from voting on the decision
  - d) For Board-level decisions, the Representative does not count toward quorum
  - e) The decision is confirmed to be in the best interests of Curling Canada
- 11. For potential conflicts of interest involving employees, Curling Canada's Board will determine whether there is there a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. Curling Canada will not restrict employees from accepting other employment contracts or volunteer appointments

provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with Curling Canada or give rise to a conflict of interest.

#### **Conflict of Interest Complaints**

12. Any person who believes that a Representative may be in a conflict of interest situation should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to Curling Canada's Board who will decide appropriate measures to eliminate the conflict. The Board may apply the following actions singly or in combination for real or perceived conflicts of interest:
  - a) Removal or temporary suspension of certain responsibilities or decision-making authority
  - b) Removal or temporary suspension from a designated position
  - c) Removal or temporary suspension from certain teams, events, and/or activities
  - d) Expulsion from Curling Canada
  - e) Other actions as may be considered appropriate for the real or perceived conflict of interest
13. Any person who believes that a Representative has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to Curling Canada to be addressed under Curling Canada's *Discipline and Complaints Policy*.
14. Failure to comply with an action as determined by the Board will result in automatic suspension from Curling Canada until compliance occurs.
15. The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of the Board.

#### **Enforcement**

16. Failure to adhere to this Policy may permit discipline in accordance with Curling Canada's *Discipline and Complaints Policy*.



## OFFICIAL LANGUAGES POLICY

### Definitions

1. The following terms have these meanings in this policy:
  - a) “*Official Languages*” – The Official Languages of Canada are English and French.
  - b) “*Events*” – All National events sanctioned by Curling Canada
  - c) “*Individuals*” – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with, Curling Canada including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada

### Purpose

2. Curling Canada is committed to the promotion and use of Canada’s two official languages in the delivery of its services. The purpose of this policy is to guide Curling Canada in its use of both official languages in its activities and services.

### Scope and Authority

3. This policy applies to Curling Canada and its activities.
4. Curling Canada is obligated by the Government of Canada to recognize that the English and French languages have equal status in Canada. Sport Canada requires Curling Canada to comply with the spirit of the *Official Languages Act* when both official language communities are being served.

### Provisions

5. Curling Canada recognizes English and French as its official languages.
6. Curling Canada will maintain the capability to communicate with its Member Associations, participants, national team athletes, Individuals, and with the broader public in both official languages.
7. Curling Canada shall endeavour to provide all services and programs in both official languages.
8. Curling Canada will take the necessary measures to ensure that routine correspondence and communication can be conducted in the official language of choice. Replies to formal written correspondence shall be in the language of the originator. Staff of Curling Canada are expected to be practical when applying this provision to email correspondence.
9. All publications of a technical nature which are expected to be in circulation for a long period of time and which have broad applicability shall be provided in both official languages.
10. All official documents relating to the governance of Curling Canada, such as Bylaws, Policies, and Strategic Plans will be provided in both official languages.

11. Media releases regarding issues of national importance shall be issued simultaneously in both official languages. Curling Canada will make every effort to translate routine media releases.
12. Curling Canada will work to expand the bilingual services available at national level competitions and events sanctioned by Curling Canada. Public Service Announcements, including recognition of partners, will be made in both Official Languages.
13. Curling Canada will ensure forms created for the general public are written in both English and in French.
14. Any advertising initiated by Curling Canada (print, radio, video, television) is to be produced in the language appropriate for the type of media and, where possible, available for distribution in English and in French upon request.

**Communication**

15. Once the policy is approved, it will immediately be communicated to those who will be responsible for its implementation and Individuals who will be affected.
16. The policy will be communicated broadly and Curling Canada will provide suitable education about the policy.

## WORKPLACE HARASSMENT POLICY

### APPLICATION

1. This Policy applies to all individuals who perform work for Curling Canada including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Governors, and independent contractors (“Workers”) who feel they have been harassed within the Workplace.
2. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Curling Canada can be reported under the terms of the *Discipline and Complaints Policy*.

### PURPOSE

3. Curling Canada is committed to providing an environment in which all Workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace.
4. This Policy is intended to ensure that Curling Canada works to prevent workplace harassment, including sexual harassment, and provides the procedures that will be followed to address and manage complaints of workplace harassment.

### DEFINITIONS

5. The following terms are defined in the *Code of Conduct and Ethics*:
  - Discrimination
  - Harassment
  - Sexual Harassment
6. The following terms are defined in **Appendix A**:
  - Bullying
  - Workplace
  - Workplace Harassment
  - Workplace Violence
7. Importantly, reasonable action taken by Curling Canada relating to the management and direction of Workers or the Workplace (e.g., scheduling or conducting an annual performance review) is not Workplace Harassment.

### REPORTING SEXUAL VIOLENCE AND SEXUAL ASSAULT

8. Sexual Violence and Sexual Assault are serious crimes and should be immediately reported to the proper authorities, including Curling Canada.
9. If you have experienced or witnessed Sexual Violence or Sexual Assault:
  - Go to a Safe Place
  - Call your local Police or go to the nearest police station
  - Call your local Rape Crisis Centre
  - Call your local Victim Services Organization



- Report the experience to Curling Canada (strongly recommended if the incident involved a Curling Canada staff member)

## **RESPONSIBILITIES**

10. All Workers are expected to read, understand and adhere to this Policy.
11. Managers are responsible to take appropriate preventive or corrective action and to put a stop to any harassment they are aware of, whether or not a complaint is filed. Failure to take appropriate action may result in disciplinary measures being imposed on the manager as well as the offending person.
12. In addition, management's responsibility is to ensure all complaints or incidents of workplace harassment are investigated and dealt with in a fair, respectful and timely manner.
13. Management will also ensure that all Workers receive annual training on Workplace Harassment and supervisors and managers will receive advanced training. Proof of completion will be placed in each Worker's file.

## **PROCEDURES**

### Reporting Workplace Harassment

14. If a Worker feels that they are being harassed, the Worker should first advise the person harassing them to stop, if they feel comfortable in doing so. If the Worker does not feel comfortable doing so, or if the harassment continues, the Worker is encouraged to report any incidents of Workplace Harassment to the appropriate person. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving Workplace Harassment.

### Where to File a Workplace Harassment Report

15. An incident or a complaint of Workplace Harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.
16. A Workplace Harassment incident or complaint must be reported directly to the Workplace Harassment Officer:  
**Executive Director Corporate Services**  
**complaint@curlingcanada.ca**
17. If the Workplace Harassment Officer is the alleged harasser, the Worker should report the complaint to the Chair.
18. All incidents or complaints of Workplace Harassment shall be kept confidential except to the extent necessary to protect Workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

### How to File a Workplace Harassment Report

19. Workers may report incidents or complaints of harassment verbally or in writing. When submitting a written complaint, Workers are asked to use the Workplace Harassment

Incident Report Form (**Appendix B**). When reporting verbally, the Workplace Harassment Officer along with the Worker will complete the Workplace Harassment Incident Report Form.

20. The report of the incident should include the following information:
- a) Name(s) and contact information of the Worker who has allegedly experienced harassment
  - b) Name(s) and contact information, if available, of the alleged harasser(s)
  - c) Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
  - d) Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
  - e) Any supporting documents the Worker may have that are relevant to the complaint (e.g., emails, texts, etc.).
  - f) A list any documents that may be relevant to the complaint.

*What Happens After Filing a Workplace Harassment Report*

21. All incidents or complaints will be kept confidential except to the extent necessary to protect the Worker, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.
22. In particular, the Workplace Harassment Officer may inform the Chief Executive Officer and/or the Board of Governors that a Workplace Harassment complaint has been filed and needs to be investigated. The Workplace Harassment Officer may recommend that the investigation be conducted by an outside third party and the Chief Executive Officer and/or Board of Governors may not unreasonably withhold funding for any outside third party investigator.
23. The Workplace Harassment Officer is not required to reveal the name(s) of the Worker and alleged harasser(s), or details of the incident, at this stage of the process unless the safety of students or Workers may be at risk and/or if temporary action (e.g., a suspension of the alleged harasser(s) while an investigation takes place) is required.

**RESPONSE TO WORKPLACE HARASSMENT COMPLAINTS**

*Investigation*

24. Curling Canada will ensure that an investigation is conducted when it becomes aware of an incident of Workplace Harassment or receives a complaint of Workplace Harassment. If an Internal Investigation is not possible or appropriate, an external Investigator qualified to conduct a Workplace Harassment investigation and who has knowledge of the relevant Workplace Harassment laws will be retained to conduct the investigation.
25. The Workplace Harassment Officer will send written notice to the alleged harasser that an investigation of a report of Workplace Harassment under this Policy is being initiated and will provide the name of the Investigator. This notice will include the particulars of the incident reported and indicate that the alleged harasser will have an opportunity to respond to the allegations.

### Timing of the Investigation

26. The investigation will be completed in a timely manner and generally within 60 days or less unless there are extenuating circumstances (i.e., illness, complex investigation) warranting a longer investigation.

### Investigation Process

27. The Investigator will conduct the investigation in a manner befitting the Investigator's experience and recommendations with such matters, with the following guidelines:

- The Investigator will ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation.
- The Investigator will interview the Worker who allegedly experienced Workplace Harassment and the alleged harasser(s), if the alleged harasser is a Worker of Curling Canada. If the alleged harasser is not a worker, the Investigator will make reasonable efforts to interview the alleged harasser.
- The alleged harasser(s) will be given the opportunity to respond to the specific allegations raised by the Worker.
- The Investigator will interview any relevant witnesses employed by Curling Canada who may be identified by either the Worker who allegedly experienced the Workplace Harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The Investigator will make reasonable efforts to interview any relevant witnesses who are not employed by Curling Canada if there are any identified.
- The Investigator will collect and review any relevant documents.
- The Investigator will take appropriate notes and statements during interviews with the Worker who allegedly experienced Workplace Harassment, the alleged harasser and any witnesses.
- The Investigator will provide the alleged harasser with a reasonable opportunity to respond in writing or orally to the allegations. If the response is oral, the Investigator should normally confirm the content of the response with the alleged harasser in writing. If they do not respond within a reasonable timeframe set by the Investigator, or chooses not to participate in the investigation, the Investigator may proceed in the absence of their response.
- The Investigator will prepare a written Investigator's Report summarizing the steps taken during the investigation, the complaint, the allegations of the Worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The Investigator's Report will set out the findings of fact and come to a conclusion about whether or not, on a balance of probabilities, Workplace Harassment occurred.

### Results of the Investigation

28. Within ten (10) business days of the investigation being completed, the Worker who allegedly experienced the workplace harassment and the alleged harasser, if he or she is a Worker of Curling Canada, will be informed in writing of the results of the investigation, and optionally an executive summary, but they are not to be sent the full Investigator's Report.
29. The parties will also be informed of any corrective action taken or that will be taken by Curling Canada to address Workplace Harassment.

### Confidentiality

30. Information about complaints and incidents will be kept confidential to the extent possible. Information obtained about an incident or complaint of Workplace Harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect Workers, to investigate the complaint or incident, or to take corrective action or otherwise as required by law.
31. While the investigation is on-going, the Worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses must not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The Investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation. All records of the investigation will be kept confidential.

### Handling of Complaints

32. While the investigation is underway, the Workplace Harassment Officer will consider whether interim measures are necessary to minimize contact between the complainant and the accused harasser. Interim measures will be reasonable for the circumstances and may include granting time off, suspension, assigning different shifts, etc.

### Disciplinary Action

33. Harassment by a Worker is a serious offence. If an accusation is substantiated, the harasser will be subject to immediate disciplinary action, up to and including dismissal.
34. After receiving the results of the investigation from the Workplace Harassment Officer, the Chief Executive Officer and/or Board of Governors will consider the evidence, the nature of the harassment, whether physical contact was involved, whether the situation was isolated, and whether there was an abuse of power to determine what is the appropriate corrective action.
35. Disciplinary actions may include:
  - Verbal or written apologies
  - A letter of reprimand or suspension
  - A referral to counselling
  - Remedial training
  - Schedule changes

- Termination of employment
- Referral to police or other legal authorities

#### **UNSUBSTANTIATED COMPLAINTS AND RETALIATION**

36. Intentionally accusing someone of harassment, known to be false, is a serious offence and may be subject to disciplinary action. Curling Canada reserves the right to discipline those whose complaints are frivolous or vexatious.
37. Any interference with the conduct of an investigation, or retaliation against the Worker filing the complaint, the alleged harasser, or witness, may itself result in disciplinary action.

#### **RECORD KEEPING**

38. Curling Canada will keep records of the investigation including:
- A copy of the complaint or details about the incident;
  - A record of the investigation including notes;
  - A copy of the Investigator's Report (if any);
  - A summary of the results of the investigation that was provided to the Worker who allegedly experienced the Workplace Harassment and the alleged harasser, if a Worker of Curling Canada; and
  - A copy of any corrective action taken to address the complaint or incident of Workplace Harassment.
39. All records of the investigation will be kept confidential. Records will be kept indefinitely. If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

## Appendix A – Workplace Definitions

1. **Bullying** occurs when an individual or a group of people, with more power, repeatedly and intentionally cause hurt or harm to another person or group of people who feel helpless to respond. Bullying can continue over time and is likely to continue if no action is taken.

Bullying is not:

- a) single episodes of social rejection or dislike
- b) single episode acts of nastiness or spite
- c) random acts of aggression or intimidation
- d) mutual arguments, disagreements or fights

The above actions can cause great distress. However, they do not fit the definition of bullying, and they're not examples of bullying unless someone is deliberately and repeatedly doing them.

2. **Workplace** - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, Curling Canada's office, work-related social functions, work assignments outside Curling Canada's offices, work-related travel, work-related conferences or training sessions, and competition venues and hotels.
3. **Workplace Harassment** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
  - i. Bullying;
  - ii. Workplace pranks, vandalism, bullying or hazing;
  - iii. Repeated offensive or intimidating phone calls or emails;
  - iv. Inappropriate sexual touching, advances, suggestions or requests;
  - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - vi. Psychological abuse;
  - vii. Excluding or ignoring someone, including persistent exclusion of a particular 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.
4. **Workplace Violence** – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to

the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:

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

## Appendix B – Workplace Harassment Complaint Form

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

Your name, position, and contact information:

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Have you been harassed? \_\_\_\_\_ or, Did you witness what you are about to report? \_\_\_\_\_

Name(s) of alleged harasser(s), and position and contact information if available:

### Details of the complaint of workplace harassment:

*Please describe in as much detail as possible the harassment incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behaviour and/or words used); (e) any additional details. Attach additional pages if required.*

### Relevant documents/evidence:

*Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.*



## DIVERSITY, EQUITY AND INCLUSION POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *"Diversity"* – the presence and integration of a variety of individuals with different personal characteristics, particularly Under-Represented Groups, in a group or organization
  - b) *"Inclusion"* – acceptance of individuals with diverse personal characteristics into a group or organization regardless of those characteristics
  - c) *"Equity"* – fairness afforded to individuals with diverse personal characteristics regardless of those characteristics
  - d) *"Under-Represented Groups"* – Under-Represented Groups include women, children in low income families, Indigenous people, seniors, people with disabilities, newcomers to Canada, and members of the LGBTQ2 community

### Purpose

2. Curling Canada is committed to encouraging diversity, equity and inclusion in its administration, policies, programs, and activities. The purpose of this Policy is to ensure that Curling Canada provides Under-Represented Groups with a full and equitable range of opportunities to participate and lead.

### Participation

3. Curling Canada will enhance the quality of, and increase the level of participation in, Curling Canada's leadership and programs by:
  - a) Supporting inclusion, equity, and access for Under-Represented Groups
  - b) Promoting the value of diversity
  - c) Ensuring that individuals from Under-Represented Groups have no barriers to participation in Curling Canada's programs, training, and coaching opportunities
  - d) Dealing with any incidence of discriminatory behaviour according to Curling Canada's *Code of Conduct and Ethics* and *Discipline and Complaints Policy*

### Programming

4. Curling Canada is committed to creating and supporting programs for sport organizations that address diversity, equity, and inclusion issues in sport. For example, Curling Canada will:
  - a) Ensure that the achievement of equitable opportunities is a key consideration when developing, updating, or delivering Curling Canada's programs and policies
  - b) Create and support new programming that specifically addresses diversity, equity, and inclusion
  - c) Monitor and evaluate the success of its diversity, equity, and inclusion programming

### Decision-Making

5. Curling Canada will encourage balanced representation by Under-Represented Groups on its Board of Governors and on all committees.
6. Curling Canada will have a Gender Standard for the Board of Governors which shall be defined in the Bylaws as:

*In advancement of gender balance for women and men on the Board of Governors, while ensuring the prevailing criterion for election is eligibility, ability and professional performance, the Board shall be constituted in a manner such that no gender accounts for more than 60% or less than 40% of the total number of Governors*

7. Curling Canada will hold elections, pursuant to the Bylaws, that ensures the Gender Standard by first holding gender-specific elections to elect male or female candidate(s) sufficient to meet the standard.

#### **Human Resource Management**

8. As part of its commitment to the use of equitable human resource management practices, Curling Canada will:
  - a) Adopt, when possible, work practices such as flex-time, job-sharing and home-based offices
  - b) Provide a physically accessible workplace environment
  - c) Ensure a non-smoking environment
  - d) Use non-discriminatory interview techniques
  - e) Adopt a pay scale reflecting equal pay for work of equal value for its employees
  - f) When appropriate, make available access to Employee Assistance counselling

#### **Ongoing Commitment to Inclusion, Diversity and Equity**

9. Curling Canada resolves to continue to incorporate inclusion, diversity, and equity matters in its strategies, plans, actions, and operations; including technical programs, business management, sponsorship, marketing, media and communications.

#### **Evaluation**

## WHISTLEBLOWER POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *Director* – An individual appointed or elected to Curling Canada’s Board of Governors
  - b) *Worker* – An individual who has signed an Employment Agreement or Contractor Agreement with Curling Canada

### Purpose

2. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

### Application

3. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Governors or by other Workers.
4. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Curling Canada can be reported under the terms of Curling Canada’s Discipline and Complaints Policy and/or reported to Curling Canada’s Board or Chief Executive Officer to be handled under the terms of the individual Worker’s Employment Agreement or Contractor Agreement, as applicable, and/or any other relevant and applicable Curling Canada policy.
5. Matters reported under the terms of this Policy may be referred to be heard under Curling Canada’s Discipline and Complaints Policy, at the discretion of the Compliance Officer.

### Wrongdoing

6. Wrongdoing can be defined as:
  - a) Violating the law;
  - b) Intentionally or seriously breaching of Curling Canada’s Code of Conduct and Ethics;
  - c) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
  - d) Directing an individual or Worker to commit a crime, serious breach of a policy of Curling Canada, or other wrongful act; or
  - e) Fraud.

### **Pledge**

7. Curling Canada pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.
8. Any individual affiliated with Curling Canada who breaks this Pledge will be subject to disciplinary action.

### **Reporting Wrongdoing**

9. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
  - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
  - b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
  - c) Why the act or action should be considered to be wrongdoing; and
  - d) How the wrongdoing affects the Worker submitting the report (if applicable).

### **Authority**

10. Curling Canada has appointed the following Compliance Officer to receive reports made under this Policy:

**Executive Director of Corporate Services**

[complaint@curling.ca](mailto:complaint@curling.ca)

11. After receiving the report, the Compliance Officer has the responsibility to:
  - a) Assure the Worker of Curling Canada's Pledge
  - b) Connect the Worker to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with Curling Canada and/or the content of the report
  - c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
  - d) Determine if Curling Canada's *Whistleblower Policy* applies or if the matter should be handled under Curling Canada's *Discipline and Complaints Policy*
  - e) Determine if the local police service be contacted
  - f) Determine if mediation or alternate dispute resolution can be used to resolve the issue
  - g) Determine if Curling Canada's Chair and/or Chief Executive Officer should or can be notified of the report
  - h) Begin an investigation

### **Alternate Liaison**

12. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with Curling Canada and/or the content

of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

Steven J. Indig, LLB  
Sport Law & Strategy Group  
[SJI@sportlaw.ca](mailto:SJI@sportlaw.ca)

13. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with Curling Canada without the Worker's consent.
14. A Worker who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

### **Investigation**

15. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Curling Canada's Chief Executive Officer and/or Chair may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report being disclosed. Curling Canada's Chief Executive Officer and/or Chair may not unreasonably refuse the decision to contract an external investigator.
16. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
  - a) Followup interview with the Worker who submitted the report
  - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
  - c) Interviews with such-affected individuals
  - d) Interview with the Director(s) or Worker(s) against whom the report was submitted
  - e) Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted
17. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to Curling Canada's Chair and/or Chief Executive Officer for review and action.

### **Decision**

18. Within fourteen (14) days after receiving the Investigator's Report, Curling Canada's Chair and/or Chief Executive Officer will take corrective action, as required. Corrective action may include, but is not limited to including:
  - a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;

- b) Revision of job descriptions; or
  - c) Discipline, suspension, termination, or other action as permitted by Curling Canada's Bylaws, provincial employment legislation, any relevant and applicable Curling Canada policy, and/or the Worker's Employment Agreement or Contractor Agreement.
19. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
20. Decisions made under the terms of this Policy may be appealed under the terms of Curling Canada's Appeal Policy provided that:
- a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal, and
  - b) If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that Curling Canada will act as the Respondent

### **Confidentiality**

21. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.
22. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Curling Canada recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

## CONSULTATION AND COMMUNICATIONS

The purpose of this policy is to define consultation requirements that deliver the highest quality information and risk analysis to the Board of Governors of Curling Canada in order for them to make informed and risk-balanced decisions. Communication to stakeholders of those consultation needs and defining the required process to obtain the particular information needed, will be critical for the high functioning of the board.

### Guiding Principles of a Consultation

- Consultation and the communication of the requirements, process and outcomes of a consultation are parts of the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, with the objective of influencing decisions, policies or programmes of action.
- Consultations are intended to advance the mission of Curling Canada, inspire our stakeholders, and assure the intended impact of Curling Canada's strategic imperatives.
- Consultation or input will always be used to advance the best interests of the sport in Canada so that decisions can be made that are best for the curling community as a whole vs any single group/member association or affiliation.
- Effective communication of information, perspective, and risk assessment in a consultation inspires trust in Curling Canada and is based on motivating, informing, counseling, and gaining understanding of the risks/opportunities of those who feel the greatest impact of decisions. It must therefore be done in a timely, open and transparent manner, respecting confidentiality where appropriate.
- All relevant information must be shared to facilitate informed communication.
- Each stakeholder has distinct and important roles in a consultation. Context is critical. Education around roles and accountabilities, governance training and non-member association stakeholder priorities is valuable as it provides broad context in which decision making is done.

### Communication Behaviours and Processes

Curling Canada and its stakeholders have a shared responsibility to the sport of curling and its curlers to ensure that roles and accountabilities (as outlined below) are respected and that decisions, when properly made, are supported. To this end:

- Consultations will be undertaken in an open, consistent, regular and transparent manner. All contributions and perspectives will be considered and valued by Curling Canada during the decision-making process.
- In acknowledgement of the diversity of stakeholders, a fair mechanism(s) enabling those stakeholders an opportunity to provide input into the process, in either written or verbal manner, will be employed. Consultation design and responses to consultation requests will be provided in the manner/format requested. When a consultation process is anticipated, it will be clearly communicated including the expectations and timescale with anticipated publication of process and results. Consultations can be of both a formal and informal nature with informal consultations requesting informed response on topics/issues from individuals or groups with specific knowledge, expertise and/or experience in that area.
- The collection and assessment of feedback will be carried out promptly and objectively. Data will be collated and presented in an impartial manner to allow the decision makers the ability to assess and interpret the responses using their own experience and expertise as well as the role and responsibility delegated to them by the organization.
- Because decisions taken by Curling Canada can have material impact on the business models of the member associations, our respective consultation and communication must be thoughtful, considered, and timely.
- Results of any consultation will be communicated within a reasonable time providing the rationale for the decision being taken.
- Curling Canada will update and distribute its communication strategy from time to time for the benefit of all stakeholders and to ensure that they are able to anticipate and plan for consultation, respecting that some input will be of an unplanned or urgent nature.

Roles and Accountabilities

BOARD OF GOVERNORS	CEO
Role is to Govern the National Sport Body. Focus is on the long-term health and growth of the sport of Curling in Canada.	Operates the Curling Canada Organization  Position oversees and decides upon the investment of resources to achieve the strategic goals of the Organization, subject to delegated authorities.



<p>Understands the issues that affect the sport and participants on a national basis.</p> <p>Creates policy and high-level priorities for the sport (Strategic Plan). Focuses on risks to the organization and sport.</p> <p>Represents Canada internationally in the sport community.</p> <p>Significant accountability to Government (Sport Canada), marketing partners and national and international bodies who oversee curling and sport</p>	<p>Receives guidance and direction through strategic plan and risk tolerance profile.</p> <p>Oversight and monitored by Board of Governors against operational plan.</p> <p>Ensures decisions made are for the best interests of the sport as a whole.</p>
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Annual Consultation and Communication Plan Deliverables

- Board Liaisons Identified and communicated – October
- Consultation Communication Plan outlining specific requirements, processes, activities, deliverables, and expectations - December
- Annual report – September
- Financial statements – September
- State of the union address and strategic plan update – Annual Meeting (September)
- Governance education on the roles and responsibilities -- National Curling Congress

## CONFIDENTIALITY POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Confidential Information”* – Personal information of Representatives including but not limited to home address, email address, personal phone numbers, date of birth, financial information, medical information, and background check information. Additionally, *Confidential Information* also covers information considered to be intellectual property of Curling Canada such as data, proprietary information, business information, and trade secrets
  - b) *“Representative”* – All individuals employed by, or engaged in activities on behalf of, Curling Canada. Representatives include, but are not limited to, staff, administrators, Governors and Officers of Curling Canada, committee members, and volunteers
  - c) *“Members”* – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with, Curling Canada including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada

### Purpose

2. The purpose of this Policy is to ensure the protection of Confidential Information that is proprietary to Curling Canada.

### Scope and Application

3. This policy applies to all Members and Representatives of Curling Canada.
4. Confidential Information does not include the following: name, title, business address, work telephone number, or any other information widely available or in the public domain.
5. Members voluntarily publishing or consenting to the publication of Confidential Information in a public forum (such as the listing of an email address on a website) forfeit the expectation of confidentiality for that Confidential Information for as long as it is available publicly.

### Responsibilities

6. Representatives and Members will not, either during the period of their involvement/employment with Curling Canada or any time thereafter, disclose, publish, communicate, or divulge to any person or organization any Confidential Information acquired during their period of involvement/employment, unless expressly authorized to do so.
7. Representatives and Members will not use, reproduce, or distribute Confidential Information without the express written consent of Curling Canada.
8. All documents and written materials relating to Confidential Information will remain the property of Curling Canada and, upon cessation of involvement/employment with Curling Canada, for any reason, or upon request of Curling Canada, Representatives will

immediately return all written or tangible Confidential Information, as well as copies and reproductions, and any other media containing Confidential Information.

#### **Intellectual Property**

9. Copyright and any other intellectual property rights for all written material (including material in electronic format or posted on a website) and other works produced in connection with employment or involvement with Curling Canada will be owned solely by Curling Canada, which shall have the right to use, reproduce, or distribute such material and works, in whole or in part, for any purpose it wishes. Curling Canada may grant permission for others to use its intellectual property.

#### **IT Information Storage and Security**

10. Representatives using any storage devices (CDs, USBs, Floppy Discs) belonging to Curling Canada acknowledge that these devices and their contents are the property of Curling Canada.
11. Representatives also acknowledge that Curling Canada technology should be used only for Curling Canada business during normal working hours. Downloading personal materials onto Curling Canada devices can be harmful and is not permitted.

#### **Enforcement**

12. A breach of any provision in this Policy may be subject to legal recourse, termination of the employment or volunteer position, suspension or expulsion from membership, or sanctions pursuant to Curling Canada's *Discipline and Complaints Policy*.

## SOCIAL MEDIA POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Social media”* – The catch-all term that is applied broadly to new computer-mediated communication media including, but not limited to blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, and Twitter.
  - b) *“Individuals”* – Individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, medical and paramedical personnel, and Governors and Officers of Curling Canada
  - c) *“Discipline Chair or Independent Case Manager”* – The person(s) appointed by Curling Canada to oversee management and administration of complaints, as applicable.

### Preamble

2. Curling Canada is aware that Individual interaction and communication occurs frequently on social media. Curling Canada cautions Individuals that any conduct falling short of the standard of behaviour required by Curling Canada’s *Code of Conduct and Ethics* will be subject to the disciplinary sanctions identified within Curling Canada’s *Discipline and Complaints Policy*.

### Application of this Policy

3. This Policy applies to all Individuals.

### Conduct and Behaviour

4. In accordance with Curling Canada’s *Discipline and Complaints Policy* and *Code of Conduct and Ethics*, the following social media conduct may be considered minor or major infractions at the discretion of the Discipline Chair or Independent Case Manager:
  - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, at Curling Canada, or at other individuals connected with Curling Canada
  - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at an Individual, at Curling Canada, or at other individuals connected with Curling Canada
  - c) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Curling Canada, its stakeholders, or its reputation
  - d) Inappropriate personal or sexual relationships between Individuals who have a power imbalance in their interactions, such as between athletes and coaches, Governors and staff, officials and athletes, etc.

- e) Any instance of cyber-bullying or cyber-harassment between one Individual and another Individual (including a teammate, coach, opponent, volunteer, or official), where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
5. All conduct and behaviour occurring on social media may be subject to Curling Canada's *Discipline and Complaints Policy* at the discretion of the Discipline Chair or Independent Case Manager.

**Individuals Responsibilities**

6. Individuals acknowledge that their social media activity may be viewed by anyone, including Curling Canada.
7. If Curling Canada unofficially engages with an Individual in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask Curling Canada to cease this engagement.
8. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with Curling Canada.
9. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to Curling Canada's *Discipline and Complaints Policy*.
10. An individual who believes that an Individual's social media activity is inappropriate or may violate Curling Canada's policies and procedures should report the matter to Curling Canada in the manner outlined by Curling Canada's *Discipline and Complaints Policy*.

## **ABUSE POLICY**

### **Definitions**

1. The following terms have these meanings in this Policy:
  - a. “Vulnerable Individuals” – Includes Children / Youth (minors) and Vulnerable Adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority)
  - b. “Individuals” – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada
  - c. “Abuse” – Child/Youth Abuse or Vulnerable Adult Abuse as described in this Policy
  - d. “Person in Authority” – An Individual who holds a position of authority within Curling Canada including, but not limited to, coaches, managers, support personnel, chaperones, and Governors

### **Purpose**

2. Curling Canada is committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Individuals about abuse, outlining how Curling Canada will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by Curling Canada.

### **Zero Tolerance Statement**

3. Curling Canada has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to Curling Canada to be immediately addressed under the terms of the applicable policy.

### **Education – What is Abuse**

4. Vulnerable Individuals can be abused in different forms.
5. The following description of Child / Youth Abuse has been modified and adapted from Ecclesiastical’s Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults:

#### **Child / Youth Abuse**

6. “Child abuse” refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they depend on or trust. There are many different forms of abuse and a child may be subjected to more than one form:

- a) Physical abuse involves single or repeated instances of deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.
  - b) Sexual abuse and exploitation involve using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
  - c) Neglect is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care, or protection from harm.
  - d) Emotional abuse involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes exposing the child to violence.
7. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.
8. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.
- a) Emotional Maltreatment – A Person in Authority's failure to provide a developmentally-appropriate and supportive environment. Emotional abuse is at the foundation of all other forms of maltreatment (sexual, physical and neglect). In sports, this conduct has the potential to cause emotional or psychological harm to an athlete when it is persistent, pervasive or patterned acts (i.e., yelling at an athlete once does not constitute maltreatment). Examples of emotional maltreatment include:
    - i. Refusal to recognize an athlete's worth or the legitimacy of an athlete's needs (including complaints of injury/pain, thirst or feeling unwell)
    - ii. Creating a culture of fear, or threatening, bullying or frightening an athlete
    - iii. Frequent name-calling or sarcasm that continually "beats down" an athlete's self-esteem
    - iv. Embarrassing or humiliating an athlete in front of peers
    - v. Excluding or isolating an athlete from the group

- vi. Withholding attention
- vii. Encouraging an athlete to engage in destructive and antisocial behaviour, reinforcing deviance, or impairing an athlete's ability to behave in socially appropriate ways
- viii. Over-pressuring; whereby the Person in Authority imposes extreme pressure upon the athlete to behave and achieve in ways that are far beyond the athlete's capabilities
- ix. Verbally attacking an athlete personally (e.g., belittling them or calling them worthless, lazy, useless, fat or disgusting).
- x. Routinely or arbitrarily excluding athletes from practice
- xi. Using conditioning as punishment
- xii. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
- xiii. Body shaming – making disrespectful, hurtful or embarrassing comments about an athlete's physique

b) **Neglect** - acts of omission (i.e., the Person in Authority should act to protect the health/well-being of an athlete but does not). Examples of neglect include:

- i. Isolating an athlete in a confined space or stranded on equipment, with no supervision, for an extended period
- ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
- iii. Ignoring an injury
- iv. Knowing about sexual abuse of an athlete but failing to report it

c) **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sport involves strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:

- i. Punching, beating, biting, striking, choking or slapping an athlete
- ii. Intentionally hitting an athlete with objects or sporting equipment
- iii. Providing alcohol to an athlete under the legal drinking age
- iv. Providing illegal drugs or non-prescribed medications to any athlete
- v. Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
- vi. Prescribed dieting or other weight-control methods without regard for the nutritional well-being and health of an athlete



- vii. Forcing an athlete to assume a painful stance or position for no athletic purpose, or excessive repetition of a skill to the point of injury
- viii. Using excessive exercise as punishment (e.g., stretching to the point of causing the athlete to cry, endurance conditioning until the athlete vomits)

d) **Grooming** - a slow gradual and escalating process of building comfort and trust with an athlete and/or their parent/guardian that is often very difficult to recognize. The process allows for inappropriate conduct to become normalized. It is often preceded by building confidence and comfort that an individual can be trusted with the care of the athlete. Examples of grooming include:

- i. Nudity or exposure of genitals in the presence of an athlete
- ii. Sexually oriented conversation or discussions about personal sexual activities
- iii. Excessive discussions about a Person in Authority's personal life (i.e., family, work, medical challenges)
- iv. Spending time with an individual athlete and/or their family outside of team activities
- v. Excessive gift-giving to an individual athlete
- vi. Socially isolating an athlete
- vii. Restricting an athlete's privacy
- viii. Providing drugs, alcohol or tobacco to an athlete
- ix. Becoming overly-involved in an athlete's personal life
- x. Making sexual or discriminatory jokes or comments to an athlete
- xi. Displaying material of a sexual nature in the presence of an athlete
- xii. Mocking or threatening an athlete
- xiii. Putting the Person in Authority's needs above needs of an athlete and/or going to an athlete to have the Person in Authority's needs met

9. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.

10. Potential warning signs of abuse of children or youth can include:

- a) Recurrent unexplained injuries
- b) Alert behaviour; child seems to always be expecting something bad to happen
- c) Often wears clothing that covers up their skin, even in warm weather
- d) Child startles easily, shies away from touch or shows other skittish behaviour
- e) Constantly seems fearful or anxious about doing something wrong
- f) Withdrawn from peers and adults
- g) Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)

- h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
- i) Acting out in an inappropriate sexual way with toys or objects
- j) New adult words for body parts and no obvious source
- k) Self-harm (e.g., cutting, burning or other harmful activities)
- l) Not wanting to be alone with a particular child or young person

### *Vulnerable Adult Abuse*

11. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual’s situation, disability, or circumstance.
12. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time:
- a) Psychological abuse includes attempts to dehumanize or intimidate vulnerable adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example
    - i. Threatening to use violence
    - ii. Threatening to abandon them
    - iii. Intentionally frightening them
    - iv. Making them fear that they will not receive the food or care they need
    - v. Lying to them
    - vi. Failing to check allegations of abuse against them
  - b) **Financial abuse** encompasses financial manipulation or exploitation, including theft, fraud, forgery, or extortion. It includes using a vulnerable adult’s money or property in a dishonest manner or failing to use a vulnerable adult’s assets for their welfare. Abuse occurs any time someone acts without consent in a way that financially or personally benefits one person at the expense of another. This type of abuse against a vulnerable adult may include, for example:
    - i. Stealing their money, disability cheques, or other possessions
    - ii. Wrongfully using a Power of Attorney
    - iii. Failing to pay back borrowed money when asked
  - c) **Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:

- i. Beating
- ii. Burning or scalding
- iii. Pushing or shoving
- iv. Hitting or slapping
- v. Rough handling
- vi. Tripping
- vii. Spitting

d) All forms of sexual abuse are also applicable to vulnerable adults

13. Potential warning signs of abuse of vulnerable adults can include:

- a) Depression, fear, anxiety, passivity
- b) Unexplained physical injuries
- c) Dehydration, malnutrition, or lack of food
- d) Poor hygiene, rashes, pressure sores
- e) Over-sedation

### **Preventing Abuse**

14. Curling Canada will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

#### *Screening*

15. Individuals who coach, volunteer, officiate, deliver developmental programs, are affiliated with provincial teams, accompany a team to an event or competition, are paid staff, or otherwise engage with Vulnerable Individuals involved with Curling Canada will be screened according to the organization's Screening Policy.

16. Curling Canada will use the Screening Policy to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:

- a) Completing an Application Form for the position sought (which includes alerting Individuals that they must agree to adhere with the organization's policies and procedures (including this Abuse Policy))
- b) Completing a Screening Declaration Form
- c) Providing letters of reference
- d) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
- e) Providing a driver's abstract (for Individuals who transport Vulnerable Individuals)
- f) Other screening procedures, as required

17. An Individual's failure to participate in the screening process or pass the screening requirements as determined by a Screening Committee, will result in the Individual's ineligibility for the position sought.

#### *Orientation and Training*

18. Curling Canada may deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
19. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or period of engagement.
20. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
21. At the conclusion of the orientation and training, Individuals may be required to acknowledge, in written form, that they have received and completed the training.

#### *Practice*

22. When Persons in Authority interact with Vulnerable Individuals, they are required to enact certain practical approaches to these interactions. These include, but are not limited to:
- a) Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
  - b) Ensuring that Vulnerable Individuals are always supervised by more than one Person in Authority
  - c) Ensuring that more than one person is responsible for team selection (thereby limiting the consolidation of power onto one Individual)
  - d) Including parents/guardians in all personal communication (e.g., electronic, telephonic) with Vulnerable Individuals
  - e) Ensuring that parents/guardians are aware that some non-personal communication between Persons in Authority and Vulnerable Individuals (e.g., coaches and minor athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to Curling Canada's *Code of Conduct and Ethics* and *Social Media Policy*.

- f) When traveling with Vulnerable Individuals, the Person in Authority will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

#### *Monitoring*

- 23. Curling Canada will regularly monitor those Individuals who have access to, or interact with, Vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
- 24. Monitoring may include, but is not limited to: regular status reports, logs, supervisor meetings, supervisor on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

#### **Reporting Abuse**

- 25. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, Curling Canada or the police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.
- 26. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in Curling Canada's *Discipline and Complaints Policy* and the *Investigations Policy - Discrimination, Harassment and Abuse*.

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[1] Retrieved from: [https://www.ecclesiastical.ca/guidelines\\_developsafetyprotectionpolicy\\_children-youths-vulnerableadults\\_faith/](https://www.ecclesiastical.ca/guidelines_developsafetyprotectionpolicy_children-youths-vulnerableadults_faith/)

[2] Adapted from: <https://www.all4kids.org/2014/03/04/warning-signs-child-abuse-neglect/>

[3] Adapted from: [https://www.parentsprotect.co.uk/warning\\_signs.htm](https://www.parentsprotect.co.uk/warning_signs.htm)

## **INVESTIGATIONS POLICY DISCRIMINATION, HARASSMENT, AND ABUSE**

### **Definitions**

1. The following terms have these meanings in this Policy:
  - a) *“Independent Case Manager”* – An individual appointed to administer complaints under the Discipline and Complaints Policy
  - “Individuals”* – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada
  - b) *“Vulnerable Individuals”* – Includes Children / Youth (minors) and Vulnerable Adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority)
  
2. The following terms have the meanings as defined in the Curling Canada’s *Code of Conduct and Ethics*:
  - a) Harassment
  - b) Discrimination
  - c) Sexual Harassment
  
3. The term ‘Abuse’ has the meaning as defined in Curling Canada’s *Abuse Policy*.

### **Purpose**

4. Curling Canada is committed to eliminating all instances of Discrimination, Harassment, , Sexual Harassment, and Abuse within its operations and activities. This Policy describes how Individuals can report instances of Discrimination, Harassment, Sexual Harassment, and Abuse and how Curling Canada will investigate those reports.
  
5. Harassment, bullying, workplace harassment, or workplace violence alleged to have been committed against a worker in a workplace (defined in the *Workplace Harassment Policy*) will be addressed pursuant to the *Workplace Harassment Policy*.

### **Determination and Disclosure**

6. When a complaint is submitted in accordance with Curling Canada’s Discipline and Complaints Policy, the Independent Case Manager will determine if such complaint is related to an instance of Discrimination, Harassment, , Sexual Harassment, or Abuse.

7. Curling Canada will adhere to all disclosure and reporting responsibilities required by the Minister of Sport and Persons with Disabilities and, if applicable, any government entity, local police force, or child protection agency.

### **Investigation**

8. Complaints that are determined to contain an element of Discrimination, Harassment, Sexual Harassment, and Abuse will continue to be addressed by the process(es) described in the Discipline and Complaints Policy. However, the Independent Case Manager may also appoint an Investigator to investigate the allegations.
9. The Investigator must be an independent third-party skilled in investigating claims of harassment. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
10. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation, review the organization's policies for human resources, review the Workplace Harassment Policy, and/or consult independent experts to determine whether legislation applies to the complaint.
11. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
  - a) Complainant interviewed;
  - b) Witnesses interviewed;
  - c) Statement of facts (complainant's perspective) prepared by Investigator and acknowledged by Complainant;
  - d) Statement delivered to Respondent;
  - e) Respondent interviewed;
  - f) Witnesses interviewed; and
  - g) Statement of facts (respondent's perspective) prepared by Investigator and acknowledged by Respondent.

### **Investigator's Report**

12. In accordance with the timelines determined by the Independent Case Manager, who may modify the timelines as described in the Discipline and Complaints Policy, the Investigator will prepare and submit a Report.
13. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, an incident occurred that could be considered Discrimination, Harassment, Sexual Harassment, or Abuse.

14. The Investigator's Report will be provided to the parties with the names and identifying details of any witnesses redacted. The provision of the Investigator's Report is conditional on the parties not distributing the Report to any third party without the written permission of Curling Canada.
15. Should the Investigator find that there are possible instances of offence under the Criminal Code, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant to refer the matter to police. The Investigator will further inform Curling Canada that the matter should be directed to the police.
16. The Investigator must also inform Curling Canada of any findings of criminal activity. Curling Canada may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against Curling Canada, or other offences where the lack of reporting would bring Curling Canada's reputation into disrepute.
17. The Discipline Chair, Independent Case Manager or the Discipline Panel, as applicable, shall consider the Investigator's Report, in addition to submissions from the parties, prior to deciding on the complaint.

#### **Reprisal and Retaliation**

18. An individual who submits a complaint to Curling Canada, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

#### **False Allegations**

19. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint pursuant to Curling Canada's Discipline and Complaints Policy. In such circumstances, Curling Canada or the individual against whom the false allegations were submitted may act as the Complainant.

#### **Confidentiality**

20. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action or is otherwise required by law.
21. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Curling Canada



recognizes that maintaining anonymity of any party may be difficult for the Investigator during the investigation.

## DISCIPLINE AND COMPLAINTS POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Independent Case Manager”* – An individual appointed by the Chief Executive Officer to administer certain complaints under this *Discipline and Complaints Policy*. The Independent Case Manager does not need to be a member of, or affiliated with Curling Canada
  - b) *“Complainant”* – The Party making a complaint
  - c) *“Days”* – Days including weekends and holidays
  - d) *“Discipline Chair”* – An individual appointed or assigned by the Independent Case Manager to handle complaints about minor incidents under Process #1 of this Policy
  - e) *“Individuals”* – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Directors and Officers of Curling Canada, spectators, and parents/guardians of athletes
  - f) *“Respondent”* – The Party responding to the complaint

### Purpose

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Curling Canada’s policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

### Discipline Chair

3. The Discipline Chair will be a Director of the Board, or an individual identified by the Chief Executive Officer to handle the duties of the Discipline Chair. The Chief Executive Officer may choose to identify three (3) individuals to serve as Discipline Chair and, in this case, decisions of the Discipline Chair will be by majority vote.
4. The Discipline Chair appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

### Application of this Policy

5. This Policy applies to all Individuals.
6. This Policy applies to matters that may arise during Curling Canada’s business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Curling Canada’s activities, and any meetings.
7. This Policy also applies to Individuals’ conduct outside of Curling Canada’s business, activities, and events when such conduct adversely affects relationships within

Curling Canada (and its work and sport environment), is detrimental to the image and reputation of Curling Canada, or upon the acceptance of Curling Canada. Applicability will be determined by Curling Canada at its sole discretion.

8. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
9. An employee of Curling Canada who is a Respondent will be subject to appropriate disciplinary action in accordance with any of Curling Canada's applicable policies, as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

#### **Alignment**

10. Curling Canada recognizes that Individuals may also be registered with Provincial/Territorial Organizations and/or Member Clubs. Curling Canada requires that Provincial/Territorial Organizations and/or Member Clubs to submit discipline decisions involving Individuals to Curling Canada. Curling Canada may, at its sole discretion, take further action.
11. If Curling Canada decides to take further action upon becoming aware of an Individual who has been disciplined by Provincial/Territorial Organization and/or Member Club, the Individual will be the Respondent to a complaint initiated under the terms of this Policy. Curling Canada may act as the Complainant if the original Complainant is unwilling or unavailable to participate in this process.
12. The Discipline Chair or Discipline Panel, as applicable, will review and consider the decision by the Provincial/Territorial Organization and/or Member Club when deciding on the complaint in accordance with the terms of this Policy.

#### **Adult Representative**

13. Complaints may be brought for or against an Individual who is a minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
14. Communication from the Discipline Chair or Independent Case Manager, as applicable, must be directed to the minor's representative.
15. A minor is not required to attend an oral hearing, if held.

## **Process**

16. Any Individual may report an incident or complaint to the Chief Executive Officer in writing (or to the President, if the complaint involves the Chief Executive Officer), within fourteen (14) days of the alleged incident, although this timeline can be waived or extended at the Chief Executive Officer's discretion.
17. Curling Canada may, in its sole discretion, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Curling Canada will identify an individual representative of the organization.
18. Upon receiving a report of an incident or a complaint, the recipient will appoint an Independent Case Manager, who will be responsible for managing the complaint. The recipient's decision to appoint an Independent Case Manager is not subject to appeal.

## **Receiving a Complaint**

19. The Independent Case Manager may determine that the alleged incident requires investigation. In this case, the Independent Case Manager may appoint an Investigator in accordance with the *Investigations Policy* and Curling Canada, and the Investigator, will have additional responsibilities as described in that Policy.
20. Upon receipt of a complaint, the Independent Case Manager has a responsibility to:
  - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy;
  - b) Propose the use of the *Dispute Resolution Policy*;
  - c) Determine if an investigation is required; and/or
  - d) Choose which process should be followed, and may use the following examples as a general guideline:

Process #1 - the Complaint alleges the following incidents:

- i. Disrespectful, abusive, racist, or sexist comments or behaviour
- ii. Disrespectful conduct
- iii. Minor incidents of violence (e.g., tripping, pushing, elbowing)
- iv. Conduct contrary to the values of Curling Canada
- v. Non-compliance with Curling Canada's policies, procedures, rules, or regulations
- vi. Minor violations of Curling Canada's *Code of Conduct and Ethics*

Process #2 - the Complaint alleges the following incidents:

- i. Repeated minor incidents
- ii. Any incident of hazing
- iii. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)

- v. Pranks, jokes, or other activities that endanger the safety of others
  - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
  - vii. Conduct that intentionally damages Curling Canada's image, credibility, or reputation
  - viii. Consistent disregard for Curling Canada's bylaws, policies, rules, and regulations
  - ix. Major or repeated violations of Curling Canada's *Code of Conduct and Ethics*
  - x. Intentionally damaging Curling Canada's property or improperly handling Curling Canada's monies
  - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
  - xii. A conviction for any *Criminal Code* offense
  - xiii. Any possession or use of banned performance enhancing drugs or methods
21. If the Independent Case Manager determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.
22. The Independent Case Manager's decision to accept or dismiss the complaint may not be appealed.

**Process #1: Handled by Discipline Chair**

Sanctions

23. Following the determination that the complaint or incident should be handled under Process #1, the Independent Case Manager will assign the Discipline Chair to review the submissions related to the complaint or incident and determine one or more of the following sanctions:
- a) Verbal or written reprimand
  - b) Verbal or written apology
  - c) Service or other contribution to Curling Canada
  - d) Removal of certain privileges
  - e) Suspension from certain teams, events, and/or activities
  - f) Suspension from all or some of Curling Canada's activities for a designated period
  - g) Any other sanction considered appropriate for the offense
24. The Discipline Chair will inform the Respondent of the sanction, which will take effect immediately.
25. Records of all sanctions will be maintained by Curling Canada.

Request for Reconsideration

26. If there is no sanction, the Complainant may contest the non-sanction by informing the Discipline Chair, within five (5) days of receiving the decision, that the Complainant is not satisfied with the decision. The initial complaint or incident will then be handled under Process #2 of this Policy.
27. If there is a sanction, the sanction may not be appealed until the completion of a request for reconsideration. However, the Respondent may contest the sanction by submitting a Request for Reconsideration within five (5) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
  - a) Why the sanction is inappropriate;
  - b) Summary of evidence to support the Respondent's position; and
  - c) What penalty or sanction (if any) would be appropriate.
28. Upon receiving a Request for Reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
29. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
30. Should the Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

**Process #2: Handled by Independent Case Manager**

Independent Case Manager

31. Following the determination that the complaint or incident should be handled under Process #2, the Independent Case Manager has a responsibility to:
  - Propose the use of the *Dispute Resolution Policy*
  - Appoint the Discipline Panel, if necessary
  - Coordinate all administrative aspects and set timelines
  - Provide administrative assistance and logistical support to the Discipline Panel as required
  - Provide any other service or support that may be necessary to ensure a fair and timely proceeding
32. The Independent Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
33. The Independent Case Manager may propose using the *Dispute Resolution Policy* with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to use the *Dispute Resolution Policy*, the Independent Case Manager will appoint a Discipline Panel, which shall consist of

a single Arbitrator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Independent Case Manager, a Discipline Panel of three persons may be appointed to hear the complaint. In this event, the Independent Case Manager will appoint one of the Discipline Panel's members to serve as the Chair.

34. The Independent Case Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Independent Case Manager and the Discipline Panel deem appropriate in the circumstances, provided that:
  - a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
  - b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Independent Case Manager, in advance of the hearing
  - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
  - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
  - e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
  - f) The decision will be by a majority vote of the Discipline Panel
35. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
36. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
37. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
38. In fulfilling its duties, the Discipline Panel may obtain independent advice.

### Decision

39. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Independent Case Manager, and Curling Canada. In extraordinary circumstances, the Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

### Sanctions

40. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:
- a) Verbal or written reprimand
  - b) Verbal or written apology
  - c) Service or other contribution to Curling Canada
  - d) Removal of certain privileges
  - e) Suspension from certain teams, events, and/or activities
  - f) Suspension from all or some of Curling Canada's activities for a designated period
  - g) Payment of the cost of repairs for property damage
  - h) Suspension of funding from Curling Canada or from other sources
  - i) Expulsion from Curling Canada
  - j) Any other sanction considered appropriate for the offense
41. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.
42. Records of all decisions will be maintained by Curling Canada.

### Appeals

43. The decision of the Discipline Panel may be appealed in accordance with Curling Canada's *Appeal Policy*.

### **Suspension Pending a Hearing**

44. The Chief Executive Officer may, at their sole discretion, determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.



### **Criminal Convictions**

45. An Individual's conviction for a *Criminal Code* offense will be deemed an infraction under this Policy and will result in expulsion from Curling Canada. *Criminal Code* offences may include, but are not limited to:
- a) Any child pornography offences
  - b) Any sexual offences
  - c) Any offence of physical violence
  - d) Any offence of assault
  - e) Any offence involving trafficking of illegal drugs

### **Confidentiality**

46. The discipline and complaints process is confidential and involves only the Parties, the Independent Case Manager, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

### **Timelines**

47. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Discipline Panel may direct that these timelines be revised.

### **Records and Distribution of Decisions**

48. Other individuals or organizations, including but not limited to, national sport organizations, provincial/territorial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

## DISPUTE RESOLUTION

### Definitions

1. The following term has this meaning in this Policy:
  - a) *“Individuals”* – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, and Governors and Officers of Curling Canada.

### Purpose

2. Curling Canada supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. Curling Canada encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Curling Canada believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

### Application of this Policy

4. This Policy applies to all Individuals.
5. Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

### Facilitation and Mediation

6. If all parties to a dispute agree to Alternate Dispute Resolution or mediation, the Chief Executive Officer may refer the alternate dispute resolution process to a resolution facilitator of the Sport Dispute Resolution Centre of Canada (SDRCC).
7. If all parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
8. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and shall specify a deadline before which the parties must reach a negotiated decision.

9. Should a negotiated decision be reached, the decision shall be reported to, and approved by Curling Canada. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending Curling Canada's approval.
10. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of Curling Canada's *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

**Final and Binding**

11. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

## APPEALS

### Definitions

1. The following terms have these meanings in this Policy:
  - a) “*Appellant*” – The Party appealing a decision
  - b) “*Case Manager*” – An individual appointed by the Chief Executive Officer who may be any staff member, committee member, volunteer, Governor, or an independent third party, to oversee this Appeal Policy. The Case Manager will have responsibilities that include, but are not limited to:
    - i. Ensuring procedural fairness;
    - ii. Respecting the applicable timelines; and
    - iii. Using decision making authority empowered by this Policy.
  - c) “*Respondent*” – The body whose decision is being appealed
  - d) “*Parties*” – The Appellant, Respondent, and any other Individuals affected by the appeal
  - d) “*Days*” – Days including weekends and holidays
  - e) “*Individuals*” – All categories of membership defined in Curling Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Governors and Officers of Curling Canada, spectators at events, and parents/guardians of athletes

### Purpose

2. Curling Canada is committed to providing an environment in which all Individuals involved with Curling Canada are treated with respect and fairness. Curling Canada provides Individuals with this *Appeal Policy* to enable fair, affordable, and expedient appeals of certain decisions made by Curling Canada. Further, some decisions made by the process outlined in Curling Canada’s *Discipline and Complaints Policy* may be appealed under this Policy.

### Scope and Application of this Policy

3. This Policy applies to all Individuals. Any Individual who is directly affected by a decision by Curling Canada shall have the right to appeal that decision provided there are sufficient grounds for the appeal under the ‘Grounds for Appeal’ section of this Policy.
4. This Policy **will apply** to decisions relating to:
  - a) Eligibility
  - b) Selection
  - c) Conflict of Interest
  - d) Discipline
  - e) Membership

5. This Policy **will not apply** to decisions relating to:
  - a) Employment
  - b) Infractions for doping offenses
  - c) The rules of the sport
  - d) Selection criteria, quotas, policies, and procedures established by entities other than Curling Canada
  - e) Substance, content and establishment of team selection criteria
  - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
  - g) Budgeting and budget implementation
  - h) Curling Canada's operational structure and committee appointments
  - i) Decisions or discipline arising within the business, activities, or events organized by entities other than Curling Canada (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by Curling Canada at its sole discretion)
  - j) Commercial matters for which another appeals process exists under a contract or applicable law
  - k) Decisions made under this 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, in writing to Curling Canada, the following:
  - a) Notice of the intention to appeal
  - b) Contact information and status of the appellant
  - 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 decision if written document is not available
  - f) Grounds for the appeal
  - g) Detailed reasons for the appeal
  - h) All evidence that supports these grounds
  - i) Requested remedy or remedies
  - j) An administration fee of one hundred dollars (\$100), which will be refunded if the appeal is upheld
7. An Individual who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for 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 Case Manager and may not be appealed.

### **Grounds for Appeal**

8. A decision cannot be appealed on its merits alone. 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)
  - d) Failed to consider relevant information or took into account irrelevant information in making the decision
  - e) Made a decision that was grossly unreasonable
9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
10. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the 'Timing of Appeal' section of this Policy), Curling Canada and the Appellant may first attempt to resolve the dispute pursuant to Curling Canada's *Dispute Resolution Policy* or through the Early Resolution Facilitation services offered by the Sport Dispute Resolution Centre of Canada (SDRCC).
11. Appeals resolved by mediation under Curling Canada's *Dispute Resolution Policy* or through Early Resolution Facilitation at the SDRCC will result in the administration fee being refunded to the Appellant.

### **Screening of Appeal**

12. Should the appeal not be resolved by using the *Dispute Resolution Policy* or through resolution facilitation at the SDRCC, Curling Canada will appoint an independent Case Manager (who must not be in a conflict of interest) who has the following responsibilities:
  - a) Determine if the appeal falls under the scope of this Policy
  - b) Determine if the appeal was submitted in a timely manner
  - c) Decide whether there are sufficient grounds for the appeal
13. If the appeal is denied 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. This decision may not be appealed.

14. If the Case Manager is satisfied there are sufficient grounds for an appeal, the Case Manager will appoint an Appeals Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the appeal. In this event, the Case Manager will appoint one of the Panel's members to serve as the Chair.

**Procedure for Appeal Hearing**

15. The Case Manager shall notify the Parties that the appeal will be heard. The Case Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.
16. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
17. 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, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances, provided that:
  - a) The hearing will be held within a timeline determined by the Case Manager
  - b) The Parties will be given reasonable notice of the day, time and place of the hearing
  - c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
  - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
  - e) The Panel may request that any other individual participate and give evidence at the hearing
  - f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
  - g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome
  - h) The decision to uphold or reject the appeal will be by a majority vote of Panel members
  - i) In fulfilling its duties, the Panel may obtain independent advice.

### **Appeal Decision**

18. The Panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
  - a) Reject the appeal and confirm the decision being appealed
  - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
  - c) Uphold the appeal and vary the decision
19. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Curling Canada. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.
20. The Panel's decision may be appealed by any of the Parties to the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

### **Timelines**

21. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Case Manager and/or Panel may direct that these timelines be revised.

### **Confidentiality**

22. The appeals process is confidential and involves only the Parties, the Case Manager, the 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.

### **Final and Binding**

23. No action or legal proceeding will be commenced against Curling Canada or Individuals in respect of a dispute, unless Curling Canada has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in Curling Canada's governing documents.

### **SDRCC**

24. By agreement between the Parties, the internal appeal process may be bypassed and the appeal may be heard directly by the SDRCC.



## EVENT DISCIPLINE PROCEDURE

*\*\* This Event Discipline Procedure does not supersede or replace Curling Canada's Discipline and Complaints Policy\*\**

### **Definitions**

1. The following terms have these meanings in this Policy:
  - a) "Event" – An event sanctioned and operated by Curling Canada
  - b) "Individuals" – All categories of membership defined in Curling Canada's Bylaws, as well as all individuals employed by, or engaged in activities with Curling Canada including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Governors and Officers of Curling Canada, and parents/guardians of athletes.

### **Purpose**

2. Curling Canada is committed to providing a competition environment in which all Individuals are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

### **Scope and Application of this Policy**

3. This Procedure will be applied to all Curling Canada-sanctioned and operated Events. Changes to this Procedure must also be outlined in the event Competition Guide, when and if applicable.
4. If the Event is being sanctioned by an organization other than Curling Canada, the Event Discipline Procedure of the sanctioning organization will replace this procedure. Incidents involving Individuals connected with Curling Canada (such as athletes, coaches, members, and Governors and Officers) must still be reported to Curling Canada to be addressed under Curling Canada's Discipline and Complaints Policy, if necessary.
5. This Procedure does not replace or supersede Curling Canada's Discipline and Complaints Policy. Instead, this Procedure works in concert with the Discipline and Complaints Policy by outlining, for a designated person with authority at an event sanctioned and operated by Curling Canada, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of Curling Canada's Code of Conduct and Ethics.

### **Misconduct During Events**

6. Incidents that violate or potentially violate Curling Canada's Code of Conduct and Ethics, which can occur during a competition, away from the area of competition, or between parties connected to the Event, shall be reported to a designated person (usually the Chief Umpire or Technical Director) responsible at the Event.

7. The designated person at the Event shall use the following procedure to address the incident that violated or potentially violated Curling Canada's Code of Conduct and Ethics:
  - a) Notify the involved parties that there has been an incident that violated or potentially violated Curling Canada's *Code of Conduct and Ethics*.
  - b) If the violation occurred during a competition, interviews may be held with the Umpires who officiated or observed the competition and with the coaches and/or skips of each team when necessary and appropriate.
  - c) The fines will be assessed as follows:
    - i. On-Ice Conduct
      - Use of inappropriate language.
      - Making an obscene gesture deemed inappropriate by an Official.
  
      - Being abusive to anyone involved with the event.
      - Refusing to talk to an accredited member of the media.
      - Refusing to wear a RF microphone.
      - Refusing to cooperate with the televising network.
      - Dress code violation (including the use of unapproved cresting on clothing or equipment)
        - a) 1st Offence \$150 - \$500
        - b) 2nd Offence \$500 - \$1,000
        - c) 3rd Offence Fine up to \$1,000 and suspension
      - Conceding a game before the time frame designated by Curling Canada without permission. \$2,000 per team for each offence.
      - Refusing to take a directive given by a Curling Canada official:
        - a) 1st Offence \$300 - \$600
        - b) 2nd Offence \$600 - \$1,000
        - c) 3rd Offence up to \$1,000 and suspension
    - ii. Off-Ice Activity:
      - Any conduct considered inappropriate by Curling Canada.
        - a) 1st Offence \$300 - \$600
        - b) 2nd Offence \$600 - \$1,000
        - c) 3rd Offence up to \$1,000 and suspension
8. The Chief Umpire and/or the Event Technical Director do not have the authority to determine a suspension that exceeds the duration of the Event. A full written report of the incident shall be submitted to Curling Canada following the conclusion of the Event. Further discipline may then be applied in accordance with Curling Canada's Discipline and Complaints Policy if necessary.
9. Decisions made in the scope of this Procedure may not be appealed.

10. This Procedure does not prohibit other Individuals from reporting the same incident to Curling Canada to be addressed as a formal complaint pursuant to Curling Canada's Discipline and Complaints Policy.
11. Curling Canada shall record and track all reported incidents.

## ADDENDUM

➤ BYLAWS



**BY-LAWS**

**of**

**CANADIAN CURLING ASSOCIATION/  
l'Association Canadienne de Curling  
(CURLING CANADA)**

*(December 5, 2018)*

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**Canadian Curling Association/l'Association Canadienne de Curling  
(O/A Curling Canada)**

**BY-LAW NO. 1  
Being the By-Laws of the Association**

**I. GENERAL, INTERPRETATION and DEFINITIONS**

1. In these By-laws the following definitions shall apply:

- (a) "**Act**" means the Canada Not-For-Profit Corporations Act S.C. 2009, c23, as amended;
- (b) "**Annual Meeting**" means an Annual Meeting of the Members which, as further defined in Section XI-1 of these By-laws and as required by the Act, will be convened within fifteen (15) months of the previous Annual Meeting and within six (6) months of fiscal year end;
- (c) "Acting Chair" means a Governor appointed by the Board, as required, to serve temporarily as Acting Chair when no Governor has been elected Chair.
- (d) "**Articles**" means original or restated Articles of Incorporation, Articles of Amendment or Articles of Continuance as per the Act;
- (e) "**Association**" means the Canadian Curling Association/l'Association Canadienne de Curling (hereinafter also known as Curling Canada);
- (f) "**Board of Governors**" or "**Governors**" means the Board of Governors or Governor of the Association and "Governors" are the same as "Directors" as defined within the Act;
- (g) "**By-laws**" mean the By-laws of the Association;
- (h) "**Chair**" means the Chair of the Association's Board of Governors;
- (i) "**Chief Executive Officer**" means the Chief Executive Officer of the Association as specified in Section IX;
- (j) "**Governor-Elect**" means a Governor elected at an Annual Meeting to assume office on a specified date;

- (k) "**Letters Patent**" means the letters patent of the Association and includes any supplementary letters patent of the Association;
  - (l) "**Member**" of the Association means a Provincial, Territorial or Regional Association incorporated as a not-for-profit corporation or society within their applicable Province or Territory as specified in Section III;
  - (m) "**Notice**" means notice provided to Members which will include the time and place of a meeting, the proposed agenda, and reasonable information to permit Members to make informed decisions, and shall be given to each Member entitled to vote at the meeting, the auditor, and the Board, by the following means:
    - i. By mail, courier or personal delivery to each Member entitled to vote at the meeting, sent at least twenty-one (21) and not more than sixty (60) days before the day on which the meeting is to be held; or
    - ii. By telephone, electronic or other communication facility to each member entitled to vote at the meeting, sent at least twenty-one (21) and not more than thirty-five (35) days before the day on which the meeting is to be held; or
    - iii. By posting on the Association's website at least thirty (30) days prior to the date of the meeting.
  - (n) "**Officer**" means the Chair and Chief Executive Officer;
  - (o) "**Ordinary Resolution**" means a resolution passed by a majority of votes cast on that resolution;
  - (p) "**Regional Association**" means any Provincial, Territorial or Regional curling association situated in Canada that is recognized by the Association;
  - (q) "**Special Meeting**" means a Special Meeting of the Members which, as further defined in Section XI-3 of these By-laws and in the Act, is convened to deal with a specific item of business.
  - (r) "**Special Resolution**" means a resolution passed by the majority of at least two thirds of the votes cast on that resolution;
2. In these By-laws, all other By-laws and in all resolutions of the Association, the following interpretations shall apply:
- (a) Words importing the singular number or the masculine gender shall, where the context requires, include the plural or the feminine or neuter genders, as the case



may be and vice versa. The remainder of any sentence involving those same words shall be construed as if the changes in number and gender had been made.

3. The Association will be carried on without the purpose of gain for its Members and any profits or other accretions to the Association will be used in promoting its objectives.
4. These By-laws have been drafted in English and the official French text is a translation. In the case of conflicting interpretations, the English version will prevail.

## **II. REGISTERED OFFICE**

1. The Board of Governors may determine the location of the Registered Office of the Association, so long as the Registered Office of the Association is in the Province specified in the Association's articles.
2. The Board of Governors may establish an office or offices of the Association in such other place or places in Canada as the affairs of the Association may require.

## **III. MEMBERS OF THE ASSOCIATION**

1. MEMBERS: The Members of the Association include:
  - (a) Newfoundland and Labrador Curling Association;
  - (b) Nova Scotia Curling Association;
  - (c) New Brunswick Curling Association (O/A Curling NB);
  - (d) Prince Edward Island Curling Association (O/A Curl PEI);
  - (e) Curling Québec;
  - (f) Ontario Curling Association (O/A CurlON) excluding the area defined as Northern Ontario and represented by the Northern Ontario Curling Association;
  - (g) Northern Ontario Curling Association representing the area defined as Northern Ontario;
  - (h) Manitoba Curling Association (O/A CurlManitoba);
  - (i) Saskatchewan Curling Association (O/A CURLSASK);
  - (j) Alberta Curling Federation (O/A Curling Alberta);
  - (k) Curl BC;
  - (l) Yukon Curling Association;
  - (m) Northwest Territories Curling Association;
  - (n) Nunavut Curling Association; and
  - (o) Such other curling organizations as are from time to time admitted as Members, pursuant to the terms of these by-laws and approved by Special Resolution of the voting members.
2. **VOTING BY MEMBERS** - Each Member shall appoint one delegate to attend all meetings of the Members of the Association as the authorized representative of the Member. Each Delegate of each Member shall be entitled to one vote at all meetings of Members.

3. Prior to any meeting of Members, a Member will inform the Association in writing (inclusive of electronic notice) of the name of the Delegate, or alternate Delegate, to represent the Member. The Delegate must be at least eighteen (18) years of age and a member or registered in good-standing of the Member.
4. The Delegates of Members have the right to participate in and vote at all meetings of members via teleconferencing.

#### **IV. AFFILIATE ORGANIZATIONS**

1. The Association may, by Ordinary Resolution at any Annual Meeting, admit any organization as an Affiliate Organization which coordinates and administers curling activities/development provided that:
  - (a) The application is endorsed by the Board of Governors by way of an Ordinary Resolution at a previous meeting of the Board of Governors; and
  - (b) The Member in which the organization exists supports in writing the application for registration as an Affiliate Organization, the exception being national organizations\*.
    - i) \*An exception is made for national organizations such as Canadian Firefighters Curling Association, Canadian Police Curling Association and the like.
2. All affiliate members of the Association appointed prior to the date of ratification of these By-laws shall cease being affiliate members and become Affiliate Organizations of the Association.
3. Affiliate Organization status shall entitle an organization to the rights and privileges of membership with the exception of a voting privilege, the ability to present Notice at meetings of the Members, and the ability to participate in Association national championships.

#### **V. HONORARY LIFE AMBASSADORS**

1. Honorary Life Ambassadors are so-named in recognition of service to the Association and as such pay no registration fees nor do they have any rights and privileges except for those which may from time to time be granted as a courtesy as determined by the Board of Governors.
2. In recognition of special service to the Association, the Association may, by Ordinary Resolution at any Annual Meeting, upon the recommendation of the Board of

Governors, appoint not more than two Honorary Life Ambassador designations to individuals who are members of, or are otherwise associated with, a Member.

3. The Association may, by Ordinary Resolution at any Annual Meeting, upon the recommendation of the Board of Governors, appoint one Honorary Life Ambassador designation to a person outside the jurisdiction of the Association.
4. The Association will recognize the following as Honorary Life Ambassadors:
  - (a) All Honorary Life Members of the unincorporated association known as the Dominion Curling Association;
  - (b) All Honorary Life Members of the incorporated association known as the Canadian Ladies Curling Association/l' Association Canadienne Feminine de Curling;
  - (c) All Honorary Life Members of the Association appointed prior to the date of the By-law being approved changing the designation from Honorary Life Member to Honorary Life Ambassador.

**VI. OBLIGATION OF MEMBERS, AFFILIATE ORGANIZATIONS & HONORARY LIFE AMBASSADORS:**

1. The following obligations apply to all Members, Affiliate Organizations and Honorary Life Ambassadors of the Association:
  - (a) **DUTY TO COMPLY:** Members, Affiliate Organizations, and Honorary Life Ambassadors are obliged to comply with and be bound by and duly enforce within its jurisdiction, all rules and decisions of the Association, the Board of Governors, or any committees of the Association so long as such rules and decisions are not contrary to the law, the Letters Patent or the By-laws of the Association.
  - (b) **RESIGNATION:** Any Member, Affiliate Organization or Honorary Life Ambassador may resign from Membership, Affiliation, or Honorary Life Ambassador status, as applicable, at any time by notice in writing to the Chief Executive Officer. Such resignation in no way relieves the Member, Affiliate Organization, or Honorary Life Ambassador of any liability to the Association and is a forfeiture by such Member, Affiliate Organization, or Honorary Life Ambassador of all rights to and claims upon the Association.
  - (c) **SUSPENSIONS AND EXPULSIONS**
    - (i) Any Member, Affiliate Organization or Honorary Life Ambassador may be expelled or suspended by a Special Resolution of the Members present at a meeting of Members if the Member, Affiliate Organization, or Honorary

Life Ambassador is provided fifteen (15) days' notice of the meeting and is provided with reasons and the opportunity to be heard at the meeting.

- (ii) During the suspension, no Member or registrant of a suspended Member is eligible to compete in any curling competition held under the auspices of the Association.
- (iii) Notwithstanding (i) above, any Member or Affiliate Organization in default of payment of its annual membership or affiliation fee may be suspended immediately by the Board of Governors, by way of Ordinary Resolution.
- (d) **TERMINATION OF MEMBERSHIP OR AFFILIATION** - Membership in, or affiliation with, the Association is automatically terminated when:
  - (i) The Member or Affiliate Organization, in the case of a Member or Affiliate Organization that is a corporation, dissolves; or
  - (ii) The Association is liquidated or dissolved under the Act.
- (e) **FEES:** Each Member and Affiliate Organization shall pay an annual membership or affiliation fee, as the case may be, as determined from time to time by the Board of Governors.
- (f) **NONASSIGNMENT:** No Member or Affiliate Organization shall be permitted to assign its membership or affiliation or attendant privileges to any third party including any other Member or Affiliate Organization.
- (g) **GOOD STANDING:** Members, Affiliate Organizations, and Honorary Life Ambassadors, who cease to be in good standing, as defined in Section VII, will not be entitled to the benefits and privileges, including the right to vote at meetings of Members. A Member, Affiliate Organization, or Honorary Life Ambassadors may be restored to good standing upon meeting the definition of good standing as set out in this By-law, and in a manner to the satisfaction of the Board of Governors.

## **VII. GOOD STANDING:**

1. A Member, Affiliate Organization, or Honorary Life Ambassador shall be deemed to be in good standing provided that the Member, Affiliate Organization, or Honorary Life Ambassador:
  - (a) Owes no outstanding membership/affiliation fees, other fees or debts to the Association;
  - (b) Has not ceased to be a Member, Affiliate Organization, or Honorary Life Ambassador (as applicable);

- (c) Has not been suspended or expelled from the Association;
- (d) Has complied with the By-laws, policies and rules of the Association;
- (e) Is not subject to a disciplinary action of the Association, or if subject to previous disciplinary action of the Association, has fulfilled all terms and conditions of such disciplinary action to the satisfaction of the Board of Governors.

## VIII. **BOARD OF GOVERNORS**

1. **JURISDICTION** - Subject to the Act and the Articles, the Board of Governors shall manage, or supervise the management of, the activities and affairs of the Association.
2. **NUMBER AND TERM OF GOVERNORS** - The Board of Governors shall be elected by the Members and shall be comprised of no fewer than eight (8) and no more than twelve (12) individuals, provided that:
  - (a) The number of elected Governors will be fixed by Ordinary Resolution of the Members;
  - (b) The term of office for a full-term Governor shall be four (4) years, commencing at the conclusion of the Annual Meeting at which he/she is elected and ending at the conclusion of the Annual Meeting for the final year of his/her term, unless he/she resigns, or is removed from or vacates his/her office:
    - i) In the event of an adjournment in order to continue the Annual Meeting on a new date, an elected Governor will be known as a Governor-Elect and will immediately have full, participating status at Board of Governors meetings but will only become a voting Governor at the conclusion of the Annual Meeting at which he/she was elected;
    - ii) Governors may serve a maximum of ten (10) years on the Board. Terms need not be consecutive;
    - iii) A current or former Governor or former Director shall be permitted to stand for re-election provided his/her previous term(s) and the term for which he/she is seeking election do not exceed 10 years.
  - (c) In addition, Governors may be appointed by the Board to fill vacancies, or to provide a needed skill set, as permitted by these By-laws, and the Act, provided that:
    - i) An appointed Governor shall serve for a maximum term of one (1) year, ending at the time of the next Annual Meeting;
    - ii) An appointed Governor's term shall be included in the determination of total years served should the appointed Governor subsequently be elected to the Board of Governors;
    - iii) An appointed Governor may not serve as Chair

- iv) Except for appointments to fill interim vacancies, as permitted by these By-laws, and in accordance with the Act, the appointment of a Governor may only occur in a year when a minimum of three (3) Governors are elected.
- 3. **GENDER STANDARD FOR BOARD OF GOVERNORS** – In advancement of gender balance for women and men on the Board of Governors, while ensuring the prevailing criterion for election is eligibility, ability and professional performance, the Board shall be constituted in a manner such that no gender accounts for more than 60% or less than 40% of the total number of Governors.
- 4. **ELECTION OF GOVERNORS** – Subject to the transition schedule established in 2013-14 for the election of four (4) Governors in 2018-19, and subject to the Temporary By-law attached, elections will be held at the Annual Meeting as follows:
  - (a) In years when the 40% gender standard is not assured, a gender specific election will be held first to elect male or female candidate(s) sufficient to meet the standard;
  - (b) When the minimum 40% gender standard is assured, all candidates of either gender will be included on the same ballot in an election to fill the remaining vacancy(s):
    - (i) When more than one Governor position must be filled, the election will be for one Governor at a time with all nominated candidates eligible in each election;
    - (ii) As specified by the Act, a candidate receiving more than fifty percent (50%) of the votes will be declared elected as a Governor.
  - (c) In the event of a tie, or if the candidate with the most votes does not receive a majority of votes, on any ballot:
    - (i) If there are more than two (2) candidates for an available position, the candidate with the fewest votes will be dropped from the ballot and a new vote will be held;
    - (iii) If there are only two (2) candidates for the available position, a second vote will take place. If there is still a tie, additional rounds of voting will occur until a winner is declared.
  - (d) In an election with only one (1) qualified candidate, candidate will be declared elected as a Governor by Ordinary Resolution.
- 5. **QUALIFICATION OF GOVERNORS** - The following persons are disqualified from being a Governor of the Association:
  - (a) Anyone who is less than eighteen (18) years of age;

- (b) Anyone who has been declared incapable by a court in Canada or in another country;
  - (c) A person who is not an individual; and
  - (d) A person who has the status of bankrupt.
6. **VACATING OF OFFICE OF GOVERNOR** - The office of the Governor of the Association shall be vacated if he/she is no longer qualified under Section VIII (5) or if:
- (a) the Governor is convicted of any criminal offense;
  - (b) the Governor resigns his/her office;
  - (c) the Governor dies; or
  - (d) the Governor is removed per Section VIII (7).
7. **REMOVAL OF GOVERNOR** - The Members may by Ordinary Resolution at an Annual or Special Meeting remove any Governor before the expiration of his/her term of office and may, by Ordinary Resolution at that same meeting, elect any person in his/her stead for the remainder of his/her term. If the Governor is removed and holds a position as an Officer, the Governor will automatically and simultaneously be removed from his/her position as an Officer.
8. **SUSPENSION OF GOVERNOR** - Pending the outcome of a discipline hearing or meeting of removal, a Governor may be suspended by Special Resolution of the Board at a meeting of the Board, provided the Governor has been given notice of and the opportunity to be heard at such meeting.
9. **INTERIM VACANCY** - If a duly elected Governor vacates his/her seat, the Board of Governors may appoint a person to serve as Governor for the term from the date of appointment until the next Annual Meeting.

**10. MEETING OF GOVERNORS**

- (a) Meetings of the Board of Governors shall be held at a time and place to be determined by the Governor(s) having authority to call a meeting as indicated below.
- (b) A meeting of the Board of Governors may be called by:
  - (i) the Chair; or
  - (iii) two members of the Board of Governors.
- (c) Notice of a meeting of the Board of Governors shall be sent to each member of the Board of Governors at least ten (10) days in advance of the meeting. No notice of a meeting of the Governors is required if all Governors waive notice, or if those absent consent to the meeting being held in their absence.
- (d) At any meeting of the Board of Governors, a majority of the Governors holding office will constitute a quorum.
- (e) Meetings of the Board of Governors may be held in person or by any means that permits all participants to communicate adequately with each other during the meeting. A Governor so participating in a meeting is deemed to be present at that meeting.
- (f) Each Governor is entitled to one vote. Resolutions and motions will be passed by Ordinary Resolution.
- (g) There will be no absentee or proxy voting by Governors.

**11. PAYMENT OF GOVERNORS OR OTHER PARTIES**

- (a) The members of the Board of Governors or of any Standing Committee or of any Ad Hoc Committee shall not be paid any remuneration for their services to the Association.
- (b) The members of the Board of Governors or of any Standing Committee or of any Ad Hoc Committee shall be paid reasonable out of pocket expenses incurred in order to attend meetings or participate in approved Association business.
- (c) A Governor is liable to re-pay any amount of money paid to him/her by the Association, if such amount is determined to exceed reasonable out-of-pocket expenses or otherwise does not comply with the Act and these By-laws.

**IX. OFFICERS OF THE ASSOCIATION**



1. The Officers of the Association are the Chair and Chief Executive Officer.
2. The Chair shall be a member of the Board of Governors and shall be elected annually by the incoming Board of Governors at the first Board meeting after the conclusion of the Annual Meeting. A previous Chair may be re-elected to the position.
3. The term of office for the Chair commences upon election by the Board of Governors and ceases upon conclusion of the next Annual Meeting.
  - (a) In the event of a vacancy in the position of Chair for any reason contained in Section VIII (5) or VIII (6) the Board shall, by Ordinary Resolution, appoint a new Chair;
  - (b) Pending the election of a Chair, the Board may appoint an Acting Chair from among the Governors in accordance with the applicable policies approved by the Board.
  - (c) In the event the Chair is absent from a meeting, or otherwise unable to fulfill his/her duties temporarily, the Board shall appoint a Chair to act in his/her absence.
4. The office of Chief Executive Officer shall be responsible only to the Board of Governors, through the Chair.
5. In the absence of a written agreement to the contrary and by an Ordinary Resolution, the Board of Governors may remove at any time any Officer of the Association.
6. **CHAIR**
  - (a) The Chair shall preside at the Annual Meeting and any Special Meeting of the Association and at meetings of the Board of Governors, unless determined otherwise by the Chair who may appoint any individual to act as presiding officer at a Members Meeting;
  - (b) The Chair is responsible for the general supervision of the affairs of the Association;
  - (c) The Chair is an ex officio member of all committees; and
  - (d) The Chair shall appoint the chair of each standing committee, from among the members of the Board of Governors, unless otherwise specifically provided for in these same By-laws.
7. **CHIEF EXECUTIVE OFFICER**
  - (a) The Chief Executive Officer shall be responsible only to the Board of Governors, through the Chair.
  - (b) The Chief Executive Officer shall perform such duties and assume such responsibilities that shall be determined from time to time by the Board of

Governors including the hiring of all staff required for the efficient and effective operation of the Association.

- (c) The Chief Executive Officer shall not be entitled to vote at meetings of the Board of Governors or meetings of the Members.

8. **HONORARY PATRON(S) AND CHAPLAIN** - Honorary Patron(s) and Chaplain may be appointed by the Board of Governors.
9. **DUTIES OF OFFICERS** - All Officers shall perform such duties as are incidental to the respective offices and such other duties that are from time to time assigned to them by the Chair or by the Board of Governors. Officers also have a duty of care under the Act.
10. **CONFLICT OF INTEREST** - In accordance with the Act, a Governor, Officer, or member of a Committee who has an interest, or who may be perceived as having an interest, in a proposed contract or transaction with the Association will comply with the Act and the Association's policies on conflict of interest and will disclose fully and promptly the nature and extent of such interest to the Board or Committee, as the case may be.

Having declared a conflict, he/she will refrain from voting or speaking in debate on such contract or transaction, will refrain from influencing the decision on such contract or transaction, and will otherwise comply with the requirements of the Act regarding conflict of interest.

#### **X. COMMITTEES**

1. The Board of Governors may from time to time strike such committees as it deems appropriate and necessary for the promotion of the objects of the Association. Such committees shall include members of the Board of Governors and may also include Member representatives and other individuals with appropriate expertise.
2. The Association may have an audit committee in accordance with the Act. Such a committee shall review the financial statements before they are approved by the Board of Governors.
3. The Governors will establish the terms of reference and operating procedures for all Committees.
4. The Board of Governors may remove any member of any Committee.

#### **XI. MEETINGS OF MEMBERS**

1. **ANNUAL MEETING** - The Annual Meeting shall be held within fifteen (15) months of the last Annual Meeting but not later than six (6) months after the end of the Association's

preceding fiscal year at such time and place within Canada as the Board of Governors shall determine in order to receive the report of the Board of Governors, to appoint a public accountant and for the transaction of any other business that may properly be brought before the meeting or is required by the Act.

## **2. ELECTION OF GOVERNORS**

- (a)** Full Term Governor - The voting Delegates at the Annual Meeting shall annually elect full term Governors, to serve for a period of four years, in accordance with the By-laws of the Association.
  
- (b)** Replacement Governor – In the event of a vacancy on the Board of Governors, the voting Delegates at the Annual Meeting shall elect a replacement Governor for the purpose of filling this vacancy for the balance of the term of the vacating member.
  
- (c)** Nominations – A candidate for the Board of Governors may be nominated to seek the position of full term Governor, replacement Governor or both. Documentation of candidate’s credentials, as deemed suitable by the Board of Governors shall be submitted to the Members no less than seven (7) days prior to the first day of the Annual Meeting. As permitted by the Act, nominations of candidates, including their documentation, will be accepted from the floor.
  
- (d)** Nominations may be submitted by a Nominating Committee, or Candidate Search Committee, or by any Member.
  
- (e)** Election Process – At the Annual Meeting, the election for full term Governors shall be conducted prior to the election for replacement Governor(s). A candidate nominated as a full term Governor, and who has been unsuccessful in being elected as a full term Governor, may seek election as a replacement Governor.

## **3. SPECIAL MEETINGS**

- (a)** The Governors, upon Ordinary Resolution, may convene a Special Meeting and shall convene, subject to Section 167 of the Act, a Special Meeting upon the written request of the Members who hold five percent (5%) of votes that may be cast at a meeting of Members.
  
- (b)** Such Special Meeting shall be called within twenty-one (21) days of the request being received at the registered office of the Association.

## **4. RULES GOVERNING MEETINGS OF MEMBERS**

- (a) Notice of an Annual or Special Meeting, giving full particulars of the time and place thereof and clearly setting forth the nature of any special business to be conducted thereat, shall be sent to each Member, to each Governor, and to all others entitled to receive Notice, in accordance with Section I (1) (l) of these Bylaws and in accordance with the Act.
- (b) A quorum for any Meeting shall require at least ten (10) Members with Delegates present, and who are entitled to vote. If a quorum is present at the opening of a meeting of the Members, the Members present may proceed with the business of the meeting, even if a quorum is not present throughout the meeting.
- (c) At meetings, "Roberts Rules of Order" shall govern, except where they are inconsistent with law or any By-law of the Association.
- (d) At meetings of Members, motions and notices of motion shall be in writing and shall be read from the Chair before discussion thereof.
- (e) At meetings of Members, any matter contained in the Notice of Meeting shall be decided by Ordinary Resolution of voting Members and Delegates present, unless otherwise required by the Act or any By-law of the Association.
- (f) At in-person meetings, voting shall be by a show of hands unless a Member demands a ballot prior to a vote. In a teleconference meeting, voting shall be orally unless a Member demands a roll call ballot or secret ballot prior to a vote.
- (g) Members may bring observers to meetings who may participate in discussion through their Delegate but they shall not be entitled to a vote.
- (h) The Chair, with the consent of voting Members and subject to such conditions as the voting Members may decide, may adjourn the Members meeting from time to time or from place *to* place.
- (i) Notice of such adjournment of a meeting of Members need not be given except when the meeting is adjourned for 30 days or more or is adjourned to a fixed time given with the notice calling the original meeting.
- (j) Any business may be brought before or dealt with at the adjourned meeting in accordance with the notice calling the original meeting.

- (k) A meeting of Members may be held by means of telephone, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, if the Association makes available such a communication facility.
- (l) Any Member entitled to vote at a meeting of Members may participate in the meeting by means of telephone, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, if the Association makes available such a communication facility. A person so participating in a meeting is deemed to be present at the meeting.

**XII. AMENDMENTS OF BY-LAWS**

1. Except for the items set out in the sections of the Act applicable to Fundamental Changes, the Board of Governors may amend all By-laws by Ordinary Resolution. Proposed amendments shall first be circulated to all members who shall have a fourteen (14) day period in which to request, by a minimum of three Members, that the proposed amendments be considered by a Special Meeting before being enacted by the Board of Governors. In the absence of a request for a meeting, such amendments are effective on the date amended by the Board of Governors, or as determined by the Board of Governors.

Accordingly, all By-law amendments have to be submitted to the Members at the next Members meeting and may be confirmed, further amended or repealed at that meeting by Ordinary Resolution, but such actions by the Members do not impair the validity of the By-law prior to the meeting of Members. Submission to the Members will follow the below provisions. Any amendment of the By-laws must not be contrary to law or the Articles.

2. Members may also enact or amend By-laws under the following provisions:
  - (a) Notice in writing of any proposed By-law or the repealing, amendment, or re-enactment of any By-law shall be given to the Chief Executive Officer, or his/her designate, at least sixty (60) days before the date of the meeting at which the proposed By-law or amendments are to be considered;
  - (b) The Chief Executive Officer, or his/her designate, shall submit to the Members, at least forty-five (45) days before the meeting, copies of all proposed By-laws or amendments of which he has received notice;
  - (c) Any amendment or repeal of the By-laws of the Association shall require an Ordinary Resolution at a Meeting of the Association, unless stated otherwise in the Act.

3. By-law changes do not require Ministry approval but must be sent to the Ministry of Consumer and Corporate Affairs of Canada appointed Director.
4. **FUNDAMENTAL CHANGES** - In accordance with the sections of the Act applicable to Fundamental Changes, a Special Resolution of all Members may be required in order to make the following fundamental changes to the By-laws or Articles of Incorporation. Fundamental Changes are defined as follows:
  - (a) Change the Corporation's name;
  - (b) Change the province in which the Corporation's registered office is situated;
  - (c) Add, change or remove any restriction on the activities that the Corporation may carry on;
  - (d) Create a new class or group of Members;
  - (e) Change a condition required for being a Member;
  - (f) Change the designation of any class or group of Members or add, change or remove any rights and conditions of any such class or group;
  - (g) Divide any class or group of Members into two or more classes or groups and fix the rights and conditions of each class or group;
  - (h) Add, change or remove a provision respecting the transfer of a membership;
  - (i) Subject to Section 133 of the Act, increase or decrease the number of **OR** the minimum or maximum number of Directors;
  - (j) Change the statement of the purpose of the Corporation;
  - (k) Change the statement concerning the distribution of property remaining on liquidation after the discharge of any liabilities of the Corporation;
  - (l) Change the manner of giving notice to Members entitled to vote at a meeting of Members;
  - (m) Change the method of voting by Members not in attendance at a meeting of Members; or
  - (n) Add, change or remove any other provision that is permitted by this Act to be set out in the Articles.

### **XIII. FINANCIAL YEAR**

1. The financial year of the Association shall be for such period as the Board of Governors from time to time determine.

### **XIV. PUBLIC ACCOUNTANT**

1. A public accountant shall be appointed by the voting Members by way of Ordinary Resolution for the ensuing year at each Annual Meeting. The public accountant shall audit sufficient records and transactions of the Association in order to permit the public accountant to report to the Members as required by the Act and the By-laws.
2. The Association shall send to the Members a copy of the annual financial statements and other documents referred to in subsection 172(1) (Annual Financial Statements) of

the Act. Instead of sending the documents, the Association may send a summary to each Member along with a notice informing the Member of the procedure for obtaining a copy of the documents themselves free of charge. The Association is not required to send the documents or a summary to a Member who, in writing, declines to receive such documents.

**XV. CUSTODY OF DOCUMENTS AND EXECUTION OF DOCUMENTS**

1. All shares and securities owned by the Association shall be lodged in the name of the Association with a chartered bank or trust company or in a safety deposit box or with such other depositories or in such other manner as may be determined from time to time by the Board of Governors.
2. **BOOKS AND RECORDS** – The necessary books and records of the Association required by these By-laws or by applicable law will be necessarily and properly kept.
3. **CHEQUES, DRAFTS AND OTHER BANK NOTES** - All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by such Officer or Officers or person or persons, whether or not Officers of the Association, and in such manner as the Board of Governors may from time to time designate.
4. **EXECUTION OF DOCUMENTS**
  - (a) Contracts, documents or any instruments in writing requiring the signature of the Association shall be signed by two (2) persons, namely, any one of the Governors plus the Chief Executive Officer and all contracts, documents and instruments in writing so signed are binding upon the Association without any further authorization or formality.
  - (b) In addition to the Officers mentioned in subsection 3 of this same By-law, the Board of Governors may from time to time, by Ordinary resolution, appoint an Officer or Officers on behalf of the Association to either sign contracts, documents and instruments in writing without limitation or to sign specific contracts, documents and instruments in writing.
  - (c) The Association shall prepare and maintain at its registered office reports containing:
    - (i) The Articles and By-laws and amendments thereto; and a copy of any unanimous Members agreement(s);
    - (ii) Minutes of Meetings of Members and any committee of Members;
    - (iii) Resolutions of Members and any committee of Members;

- (iv) A debt obligation register containing the principal amount of each debt obligation, the names, addresses, email addresses (if consented to) of each debt obligation holder as well as the date the person or corporation became a debt obligation holder and the date the person or corporation ceased to be a holder;
- (v) A register of Governors containing the name of each Governor, current residential address of each Governor, the email address, if the Governor has consented, the date each Governor became a Governor and ceased to be a Governor;
- (vi) A register of Officers;
- (vii) A register of Members;
- (viii) Accounting records;
- (ix) Minutes of meetings of Governors and committees of Governors;
- (x) Resolutions of Governors and of committees of Governors.

(d) A Member's representative or a creditor of a corporation may, during the Association's usual business hours, examine and, upon payment of a reasonable fee, take extracts from the records referred to above from 4(c) (i) through (vi).

#### **XVI. BUSINESS OF THE ASSOCIATION AND DISSOLUTION OF THE ASSOCIATION**

1. The business of the Association shall be carried on without purpose of gain for its members and any profit or other accretion shall be used for promoting its objects.
2. In the event of the dissolution of the Association, all of its remaining assets, after payment of its liabilities, shall be distributed to one or more qualified donees, within the meaning of subsection 248 (1) of the Income Tax Act.



## **XVII: ADOPTION OF THESE BY-LAWS**

1. **RATIFICATION** – These By-laws were ratified by the Members of the Association at a meeting of Members duly called and held on May 30, 2017.
2. **REPEAL OF PRIOR BY-LAWS** – In ratifying these By-laws, the Members of the Association repeal all prior By-laws of the Association provided that such repeal does not impair the validity of any action done pursuant to the repealed By-laws.

## **Temporary Bylaw – Amendment to Constitution – May 2017**

1. This temporary bylaw will be in addition to the Curling Canada Bylaws until this temporary bylaw is deemed to be null and void or replaced by the voting Members in accordance with the Act.

Based upon the established transition schedule, which encompasses the election of Governors for the years 2015-16 through 2018-19, namely:

- Two Governors were elected in 2015-16
- Two Governors were elected in 2016-17
- Two Governors will be elected in 2017-18
- Four Governors will be elected in 2018-19, as follows:
  - a. Three Governors will be elected for four-year terms, and
  - b. One Governor will be elected for a two-year term

Until future change occurs:

- Two Governors will be elected in 2019
- Three Governors will be elected in 2020
- Two Governors will be elected in 2021
- Three Governors will be elected in 2022
- This election schedule will continue for 2023 and beyond.

