

## PROHIBITED CONDUCT POLICY

### ***Prohibited Conduct***

The following conduct is expressly prohibited by an ***Individual*** participating in any Triathlon BC affiliated program, course, clinic or event.

1. The ***Individual*** shall not have sexual relations, or sexual intimacy of any description, with any other ***Individual***, with any athlete the ***Individual*** is coaching or with any other sport participant the ***Individual*** has access to in the sport environment if the other ***Individual***, the athlete being coached or the sport participant is 18 years of age or older and if there exists a significant imbalance of power with respect to the relationship between the other ***Individual***, the athlete being coached or the sport participant and the ***Individual*** which could reasonably jeopardize effective decision making regarding the existence or the nature of the sexual relations or sexual intimacy with the ***Individual***.
2. The ***Individual*** shall not have sexual relations, or sexual intimacy of any description, with any athlete the ***Individual*** is coaching, with any other sport participant the ***Individual*** has access to in the sport environment or with any other ***Individual*** if the athlete being coached, the other sport participant or the other ***Individual*** are under the age of 18. With respect to the ***Individual's*** relationship with the other sport participant and the other ***Individual***, they must each be subject, directly or indirectly, to the authority of the ***Individual*** for this section to apply.
3. The ***Individual*** shall refrain from all types of sexual misconduct in the sport environment. Age is not relevant to allegations of sexual misconduct. For the purposes of the Code, sexual misconduct shall include either or both of the following:
  - a. the use of power or authority in an attempt, successful or not, to coerce another person to engage in or tolerate sexual activity. Such abuses of power and authority include, but are not limited to, explicit or implicit threats of reprisals for non-compliance or promises of reward for compliance;
  - b. engaging in deliberate or repeated unsolicited sexually oriented comments, anecdotes, gestures or touching, that:
    - i. are offensive and unwelcome, or
    - ii. create an offensive, hostile or intimidating environment, or
    - iii. can reasonably be expected to be harmful to participants in the sport environment.
4. The ***Individual*** shall not use or possess illegal drugs or substances, as defined by the Criminal Code of Canada or by the World Anti-Doping Agency, or its equivalent, while participating in the sport environment anywhere in the world.
5. When driving a vehicle anywhere in the world with an athlete or other sport participant inside, the ***Individual*** shall not: (i) consume alcohol; or (ii) have his or her license temporarily or permanently suspended due to an elevated blood alcohol level; or (iii) be under the influence of illegal drugs or substances, as defined by the Criminal Code of Canada.

6. The following Criminal Code of Canada convictions are fundamentally inconsistent with the **Individual's** continued involvement with athletes and sport participants. Proof of the **Individual's** conviction for any of the following Criminal Code of Canada offences, whenever obtained, shall be a breach of this Code:

- a. Any offences involving child pornography
- b. Any sexual offences involving a minor
- c. Any offence of assault involving a minor
- d. Any offence of physical or psychological violence involving a minor.

7. The **Individual** shall not engage in deliberate cheating which is intended to manipulate the outcome of a competition.

8. The **Individual** shall not offer or receive any bribe and shall not offer or receive any similar benefit which is intended to manipulate the outcome of a competition.

9. The **Individual** shall not attempt to cover up or conceal any conduct of an **Individual** that is, or may be, in breach of this Code.

### ***Code for Prohibited Conduct in Sport Adjudication Process***

#### ***Applicable Principles***

In every case where the Code applies and a hearing is warranted pursuant to the Code, an adjudication process shall be conducted by the organization which respects the principles of Natural Justice and procedural fairness. Such an adjudication process shall conform to the principles set out hereafter.

(i) The **Individual** complained of is fully informed of all allegations and evidence brought against him or her and there is full disclosure.

(ii) The **Individual** complained of is given a reasonable opportunity to respond to the allegations brought forward.

(iii) The **Individual** complained of may be represented by legal counsel at that **Individual's** expense.

(iv) The Panel member(s) who decide the complaint shall be independent and unbiased and shall render a written and reasoned decision. The Panel shall have at least one member with legal training or arbitration experience or be advised by an individual with these skills.

(v) There shall be the right to appeal the Panel's decision in accordance with the organization's appeal policy.