

Code of Conduct and Ethics

(the “Code”)

*Own the Podium (“OTP”) has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”) (provided as **Appendix A**) which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada (“SDRCC”) shall come into effect immediately and automatically upon their adoption by the SDRCC, without the need for any further action by the Organization.*

*The Organization is a Program Signatory of the Office of the Sport Integrity Commissioner (the “OSIC”), as of **April 1, 2023** (the “Effective Date”).*

The Organization has designated specific Organizational Participants within the organization as UCCMS Participants. A full list of designated individuals is available by contacting Dennis Blinn (dennis.blinn@ownthepodium.org).

A. Definitions

1. Terms in this Code are defined as follows:

- a) **Bullying** – Offensive behaviour and/or abusive treatment of an Organizational Participant that typically, but not always, involves an abuse of power.
- b) **Event** – an event sanctioned by the Organization, and which may include a social Event
- c) **Harassment** – A vexatious comment (or comments) or conduct against an Organizational Participant or group, regardless of whether the comment or conduct occurs in person or via any other media, including social media, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - i. Written or verbal Abuse, threats, or outbursts;
 - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
 - iv. Leering or other suggestive or obscene gestures;
 - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - vi. Practical jokes which endanger a person’s safety, or which may negatively affect performance;

- vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity 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.
- d) **Organization** – Own the Podium
- e) **OSIC** – Office of the Sport Integrity Commissioner, an independent division of the Sport Dispute Resolution Centre of Canada (SDRCC) which comprises the functions of the Sport Integrity Commissioner
- f) **Organizational Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of the Organization who are subject to the policies of the Organization, as well as all people employed by, contracted by, or engaged in activities with, the Organization including, but not limited to, employees, contractors, volunteers, managers, administrators, committee members, and Directors and Officers.
- g) **Person in Authority** – Any Organizational Participant who holds a position of authority within the Organization including, but not limited to senior staff, managers, committee members, and Directors and Officers.
- h) **Report** – As defined in the UCCMS
- i) **UCCMS** – Universal Code of Conduct to prevent and address Maltreatment in Sport, as amended from time to time by the SDRCC
- j) **UCCMS Participant** – An Organizational Participant affiliated with the Organization as designated by the Organization and who has signed a Consent Form and which may include, an athlete, a coach, an official, an athlete support personnel, an employee, a contractual worker, an administrator or a

volunteer acting on behalf of, or representing the Program Signatory in any capacity, as well as Directors.

- k) **Workplace** – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s), work-related social functions, work assignments outside the registered office(s), work-related travel, the training and competition environment, and work-related conferences or training sessions.
- l) **Workplace Harassment** – A course of vexatious comment or conduct against an Organizational Participant 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.
- m) **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.

B. Purpose

- 2. The purpose of this Code is to foster a positive, safe, and respectful work and sport environment where:
 - a) The Organization's values are understood, communicated, championed and lived by all Organizational Participants;
 - b) There is adherence to all applicable laws, regardless of where the work of the Organization is being conducted;
 - c) The expected standards of behaviour by Organizational Participants are clear, communicated, championed and lived; and
 - d) The conduct of Organizational Participants is ethical, transparent and maintains public confidence in the integrity of the Organization.
- 3. The Organization supports equal opportunity, prohibit discriminatory practices, and is committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.
- 4. In furtherance of the purposes of this Code, all Organizational Participants are expected to raise any concerns about behaviour, to report any prohibited behaviour, or any breach, or potential, or suspected breach of this Code and to work together to ensure a positive, safe, and respectful work and sport

environment. Organizational Participants are expected to exercise responsible judgment in complying with both the language and the spirit of the Code.

C. Application – General

5. This Code applies to the conduct of all Organizational Participants during the business, activities, and Events of the Organization and including, but not limited to travel associated with organizational activities, the office environment, and any meetings.
6. This Code also applies to the conduct of all Organizational Participants outside of the business, activities, and Events of the Organization when such conduct adversely affects the Organization’s relationships (and the work and sport environment) or is detrimental to the image and reputation of the Organization. Such applicability will be determined by the Organization, at its sole discretion.
7. This Code applies to Organizational Participants active in the Organization or who have retired from the Organization where any claim regarding a potential breach of this Code occurred when the Organizational Participant was active in the Organization.
8. An Organizational Participant who believes that a staff member or Director has committed Wrongdoing (as described in the *Whistleblower Policy*) may report the alleged incident(s) to the OTP Resource Person (as described in the *Whistleblower Policy*).

D. Prohibited Behaviours

9. All Organizational Participants must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and the Code.
10. Organizational Participants are responsible for knowing what actions or behaviours are Prohibited Behaviours and/or Maltreatment.
11. Prohibited Behaviours under the UCCMS include, but are not limited to:

a) Physical Maltreatment	g) Discrimination
b) Psychological Maltreatment	h) Failing to Report
c) Neglect	i) Aiding and Abetting
d) Sexual Maltreatment	j) Retaliation
e) Grooming	k) Interference with or Manipulation of Process
f) Boundary Transgressions	l) False Reports
12. In addition to the Prohibited Behaviours as defined by the UCCMS, this Code sets out other expected standards of behaviour and conduct for all Organizational Participants and any failure to respect these expected standards of behaviour by an Organizational Participants may constitute a breach of this Code. In addition, the following behaviours also constitute breaches of this Code:

- a) Bullying
- b) Harassment
- c) Workplace Harassment
- d) Workplace Violence

E. Responsibilities of Organizational Participants

13. All Organizational Participants have a responsibility to:

- a) Acquaint themselves with the Organization’s mission, vision, values, and policies and behave accordingly
- b) Not participate in, condone, or engage in dishonesty, fraud, deceit, misrepresentation, or illegal activities.
- c) Refrain from any behaviour that constitutes Maltreatment or Prohibited Behaviour under this Code or the UCCMS.
- d) Maintain and enhance the dignity and self-esteem of other Organizational Participants by:
 - i. Treating each other with fairness, honesty, respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism organizers, volunteers, employees, or other Organizational Participants;
 - 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; and
 - v. Consistently treating individuals fairly and reasonably
- e) Refrain from the use of power or authority to coerce another person to engage in inappropriate activities.
- f) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or events of the Organization.
- g) Not consume cannabis in the Workplace or in any situation associated with the events of the Organization (subject to protections under applicable human rights legislation), not consume alcohol during events, competitions, or in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations.
- h) When driving a vehicle:
 - i. Have a valid driver’s license;

- ii. Obey traffic laws;
 - iii. Not be under the influence of alcohol or illegal drugs or substances;
 - iv. Have valid car insurance; and
 - v. Refrain from engaging in any activity that would constitute distracted driving.
- i) Respect the property of others and not wilfully cause damage.
 - j) Promote sport in the most constructive and positive manner possible.
 - k) Refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a competition and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages.
 - l) Obey all the laws, rules and regulations of the cities, provinces, territories and countries in which the Organization does business.
 - m) Comply with the bylaws, policies, procedures, rules, and regulations of the Organization and as adopted and amended from time to time.
 - n) Report to the Organization any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Organizational Participant, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method.

F. Directors, Committee Members, and Employees

14. In addition to section D (above), Directors, Committee Members, and employees of the Organization have additional responsibilities to:
- a) Function primarily as a Director, committee member or employee of the Organization and ensure to prioritize their duty of loyalty to Organization (and not to any other organization or group) while acting in this role.
 - b) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.
 - c) Conduct themselves openly, professionally, lawfully and in good faith.
 - d) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making on behalf of the Organization.

- e) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- f) Maintain required confidentiality of organizational information.
- g) When acting as a Director or Committee Member, respect the decisions of the majority (the Board or a Committee, as applicable) and resign if unable to do so.
- h) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- i) Have a thorough knowledge and understanding of all governance documents.

G. Ethical Standards

- 15. All Organizational Participants must meet the highest standards of ethical behaviour. This includes the obligation to act with integrity, impartiality, and transparency and to avoid even the appearance of impropriety. Organizational Participants must be honest and loyal to the Organization in the conduct of their business and must conduct themselves in a way that upholds the reputation and position of trust placed upon the Organization by those with whom it interacts. Bias or favouritism or the appearance of bias or favouritism must always be avoided and the reputation of the Organization must be protected.
- 16. No Organizational Participant shall act in any way that diminishes the credibility of the Organization or any of its partners.

H. Confidential Information

- 17. Organizational Participants must adhere to the Organization's *Confidentiality Policy*.
- 18. During working with the Organization, individuals will have access to sensitive and/or confidential information. Every Organizational Participant has a duty to take reasonable steps to secure confidential information and to not disclose such confidential information, including, once the Organizational Participant ceases to work for or be associated with the Organization. Confidential information is information known to the Organizational Participant by virtue of their connection to the Organization, whether or not marked "confidential", but does not include:
 - a) Information available to Organizational Participants on a non-confidential basis;
 - b) Information demonstrably independently developed by, or known to the Organizational Participant outside of their connection to the Organization (except from a source whom the Organizational Participant knew or ought to have known was bound by confidentiality at the time of disclosure);
 - c) Information known or available to the public other than as a result of disclosure by the

Organizational Participant; or

- d) Information which becomes non-confidential through no fault of the Organizational Participant.

19. Confidential Information that Organizational Participants receive through their relationship with the Organization must not be divulged to anyone other than persons who are authorized to receive such information. An Organizational Participant must not use information that is gained due to their relationship with the Organization, to further any personal, private and/or public interest. Organizational Participants must not engage in any financial transactions, contracts, or private arrangements for personal profit, which accrue from, or are based upon, confidential Information that they gain by reason of their position with the Organization, with the exception of Organizational Participants in the context of their employment with the Organization. These restrictions remain in effect following the termination or expiration of the Organizational Participant's employment with the Organization, for so long as the information remains confidential.

20. Any intentional or negligent disclosure of confidential information to persons who the Organizational Participant knew or ought to have known should not have received the confidential Information, or misuse, may result in sanctions under this Code.

I. Preferential Treatment

21. Organizational Participants must not act in their official roles with the Organization to assist organizations or persons in their dealings with the Organization if this may result in, or potentially appear to result in, preferential treatment to that organization or person.

J. Corporate Property

22. Organizational Participants must not use corporate property to pursue their private interests or the interests of a related party. Without limiting the foregoing, occasional, limited personal use of the Organization's computers, phones and other communication equipment is permitted, provided it does not negatively impact productivity, or interfere with normal business operations.

23. Corporate property includes, but is not limited to, real and tangible items such as monetary assets, buildings, furniture, fixtures, equipment, and vehicles and also includes items such as data, computer systems, reports, information, proprietary rights, patents, trademarks, copyrights, logos, name, and reputation.

K. Intellectual Property

24. The duty of honesty extends to crediting the origins of work, methods and tools, done or created by others, in such a way that all parties involved are always clear as to the origin of such work,

methods, and tools and the right to use them. OTP Members must not use or publish work that is immoral or illegal.

L. Benefits, Entertainment and Gifts

25. Organizational Participants must not solicit or accept benefits, entertainment or gifts (collectively, “Gifts”) in exchange for or as a condition of the exercise of their duties, or as an inducement for performing an act associated with their duties or responsibilities with the Organization. Without limiting the foregoing, Organizational Participants may accept unsolicited Gifts associated with their official duties and responsibilities, but only if such Gifts are within the bounds of propriety, a normal expression of courtesy, within the normal standards of hospitality, would not bring suspicion on the Organizational Participant’s objectivity and impartiality and would not compromise the integrity of the Organization. If a Gift does not meet all of these measures, it will be considered an improper Gift.
26. An improper Gift must be returned as soon as practicable. If it is not possible to return the improper Gift or if there is some other valid reason for not returning an improper Gift, such Gift must be disclosed to the Vice President of Partnerships, Finance and Administration who will determine how to deal with the Gift, having regard to the language and spirit of this Policy. In exceptional circumstances, the Chief Executive Officer or Board Chair may waive compliance with these restrictions provided such waiver does not compromise the integrity of the Organization and the purposes of this policy.
27. Similarly, Organizational Participants may not give away Gifts on behalf of the Organization in exchange for, or as a condition of, any benefit for the Organization or the Organizational Participant. Provided that the Organizational Participant may give away a Gift, if such Gifts are within the bounds of propriety, a normal expression of courtesy, within the normal standards of hospitality, would not bring suspicion on the Organizational Participant’s objectivity and impartiality and would not compromise the integrity of the Organization.
28. It is the responsibility of the Organizational Participant to ensure that a Gift, whether received or to be given, is proper. If in doubt, the Organizational Participant should consult with the individual to whom they report or with the Vice President of Partnerships, Finance and Administration.

M. Future Employment or Services

29. Organizational Participants must not allow prospects of outside or future employment, appointment, or investment to create a real or perceived conflict of interest during their appointment with the Organization. After they leave the Organization, Organizational Participants are expected to refrain from taking improper advantage of their previous office and must continue to observe their duties of confidentiality.

N. Political Activities

30. Organizational Participants are free to participate in partisan political activities. Their political activities, however, must be clearly separated from activities related to their involvement with the Organization.
31. If engaging in political activities, Organizational Participants must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Partisan politics must not be introduced into the Organization's work or sport environment in any way that creates undue or inappropriate influence on other Organizational Participants, contractors, volunteers or persons or business enterprises with whom the Organization does business.
32. To ensure its independence and objectivity, the Organization will not use corporate funds, goods, or services as a contribution to or in support of political parties, candidates, activities or campaigns.

O. Retaliation, Retribution or Reprisal

33. It is a breach of this *Code of Conduct and Ethics* for any Organizational Participant to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that individual from filing, in good faith, a Report pursuant to any policy of the Organization. It is also a breach of this *Code of Conduct and Ethics* for an individual to file a Report for the purpose of retaliation, retribution or reprisal against any other individual. Any individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

P. Privacy

34. The collection, use and disclosure of any personal information pursuant to this Policy is subject to the *Privacy Policy*.

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