INTRODUCTION:

The Manitoba Volleyball Association would like to thank you for contributing to the development of our young volleyball athletes in our province. The time and efforts that you contribute, as a coach, does not go unnoticed. As coaches, however, you have an enormous responsibility of helping those young players on your team to become all that they are capable of being. Very few people attain this. The young athletes that are playing for you have a chance to because they have another person, another qualified person, interested in their future.

For these young athletes to attain all they can be, on the volleyball floor as well as in life, their best interests have to be put first. In sport this means ensuring that all your players are treated with respect and integrity – emotionally, socially, intellectually, physically, culturally, and spiritually.

The Manitoba Volleyball Association Anti-Harassment and Anti-Abuse Policy states that every member of the association can expect to participate in an environment in which all individuals are treated with respect and dignity. All participants will be afforded a sport environment free of harassment and abuse and will be protected from any form of harassment or abuse by any other participant (coaches, officials, volunteers, athletes).

It is an initiative of the MVA to make the efforts to better educate all of our members (coaches, athletes, officials, and parents) on Harassment and Abuse Prevention. You will find included in this document three (3) sections as outlined below that will help you throughout the season in ensuring these principles and ethical standards are understood and maintained.

Section 1  VOLLEYBALL CANADA CODE OF CONDUCT

Section 2  MVA COACHES CODE OF ETHICS

Section 3  MVA ANTI-HARASSMENT / ANTI-ABUSE POLICY

Thank you for your contribution to the development of Manitoba’s volleyball future.

For further information on any of the information contained herein please contact the MVA Technical Director at 925-5784.
VOLLEYBALL CANADA

*The following is adopted by and applicable to all MVA Sanctioned Events.

CODE OF CONDUCT

Volleyball, because of its regulations and its tradition, offers a philosophy of competition guided by the highest standards of good sportsmanship.

For that reason, all participants (teams, players, coaches, officials, managers and administrators) in tournaments and meetings under the authority of Volleyball Canada, have a duty to conduct themselves in a reasonable and acceptable manner. They must avoid all unsportsmanlike conduct, acts or practices which are, in the opinion of Volleyball Canada, detrimental to the sport. Such acts include but are not limited to:

a) committing any act which is considered an offence under any duly promulgated law:

Penalty - Suspension for one year plus.

b) i. accepting money or other consideration for losing a match or winning by a particular margin;
   ii. being a party to any payment of money or other consideration to another person to lose a match or win by a particular margin.

Penalty - Suspension for one year plus.

c) i. betting or acting as a "bookmaker" on matches or tournaments;
   ii. associating with professional gamblers.

Penalty - Suspension from one month to one year.

d) willfully damaging property

Penalty - Replacement and suspension from one month to one year.

e) cheating:

   i) entering a competition and then failing to appear without valid reason and adequate notice;
   ii) defaulting a game or match in a competition except as a result of injuries or other valid reason;
   iii) withdrawing a team from a match except as a result of injuries or other valid reason;
   iv) playing in a competition under an assumed name, falsifying a team entry form or giving false information to a tournament official.

Penalty - Forfeit for the tournament plus fine equal to register fee and suspension from two weeks to one year for team or individual.

f) violence:

   i) showing outward displays of temper;
   ii) deliberately throwing or hitting a ball in the direction of an official, spectator or opponent;
   ii) threatening bodily injury to anyone.

Penalty - Suspension from three months to life.
g) poor attitude:
   i) swearing at an official, linesjudge, scorekeeper, spectator or opponent;
   ii) using profanity or obscene language or gestures.

   **Penalty** - *Suspension from two weeks to one year.*

h) illegal use of banned substances

   **Penalty** - *Suspension for one year plus.*

i) anti-doping policy - under this policy two (2) categories of drugs exist:

   i) banned drugs including stimulants, narcotic analgesics, anabolic steroids, beta blockers, diuretics, peptide hormones and analogues.
   ii) restricted drugs including injectable local anesthetics, asthma and respiratory ailment drugs, corticosteroids, caffeine, alcohol and marijuana.

Penalties range considerably and are imposed under the discretion of the Anti-Doping Discipline Jury. For example:

   a) For the use, condoning the use, or counseling the use of banned stimulants:

      **First Offense:**
      One (1) to two (2) years’ suspension from all Volleyball Canada activities.

      **Second Offense:**
      Three (3) years to life suspension from all Volleyball Canada activities.

   b) For the use of, condoning the use, or counseling the use of steroids and other banned substances:

      **First Offense:**
      Two (2) to five (5) years’ suspension from all Volleyball Canada activities.

      **Second Offense:**
      Life suspension from all Volleyball Canada activities.
MVA COACHES CODE OF ETHICS

Introduction:
Individuals coaching volleyball have the opportunity to provide athletes with a unique experience in the sport and in life. The quality of this experience, in large part, is dependent upon the ethics and values that a coach is guided by. The MVA has adopted the following Coaching Code of Ethics put out by the Coaching Association of Canada and the Canadian Professional Coaches Association that provides principals and ethical standards developed for the coaches of Canada. The code of ethics is based on four ethical principals:

RESPECT FOR PARTICIPANTS
The principle of respect for participants challenges coaches to act in a manner respectful of the dignity of all participants in sport. Fundamental to this principal is the basic assumption that each person has a value and is worthy of respect.

Acting with respect for participants means that coaches
1. do not make some participants more or less worthy as persons than others on the basis of gender, race, place of origin, athletic potential, color, sexual orientation, religion, political beliefs, socio-economic status, marital status, age or any other conditions;
2. have a responsibility to respect and promote the rights of the participants. This is accomplished by establishing and following procedures for confidentiality (right to privacy); informed participation and shared decision-making (right to self-determination athletes’ rights); and fair and reasonable treatment (right to procedural fairness). Coaches have a special responsibility to respect and promote the rights of participants who are in vulnerable or dependent positions and less able to protect their own rights;
3. interact with others in a manner that enables all participants in sport to maintain their dignity; and
4. build mutual support among fellow coaches, officials, athletes and there family members.

In being faithful to the principal of respect for participants, coaches would adhere to the following ethical standards:

<table>
<thead>
<tr>
<th>Key Words</th>
<th>Ethical Standards</th>
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<tbody>
<tr>
<td>Respect</td>
<td>1.1 Treat all participants in sport with respect at all times.</td>
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<td></td>
<td>1.2 Provide feedback to athletes and other participants in a caring manner that is sensitive to their needs, e.g., focus criticism on the performance rather than the athlete.</td>
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<td>1.3 Respect the areas of expertise, experience and insights of others in sport by considering carefully their opinions.</td>
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<td>1.4 Do not engage publicly (e.g., statements, conversations, jokes, presentations, media reports) in demeaning descriptions of others in sport.</td>
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<td></td>
<td>1.5 Be discreet in non-public conversations about athletes, coaches or other participants in sport.</td>
</tr>
<tr>
<td>Rights</td>
<td>1.6 Recognize athletes’ right to consult with other coaches and advisors.</td>
</tr>
</tbody>
</table>
1.7 Respect athletes as autonomous individuals and refrain from intervening inappropriately in personal affairs that are outside the generally accepted jurisdiction of a coach.

**Equity**

1.8 Treat all participants equitably within the context of their sporting activities, regardless of gender, race, place of origin. Athletic potential, color, sexual orientation, religion, political beliefs, socio-economic status and any other condition.

1.9 Use language that conveys respect for the dignity of others (e.g., gender-neutral terms) in written and verbal communications.

1.10 Do not practice, condone, ignore, facilitate or collaborate with any form of unjust discrimination in sport.

1.11 Act to prevent or correct practices that are unjustly discriminatory.

**Empowerment**

1.12 Encourage and facilitate participants’ abilities to be responsible for their own behavior, performance and decisions.

1.13 Respect as much as possible the opinions and wishes of participants when making decisions that affect them.

1.14 Give athletes the opportunity to discuss, contribute to and agree with proposals for training and for performance standards.

**Informed participation**

1.15 Provide athletes with the information necessary for them to be meaningfully involved in the decisions that affect them.

1.16 Communicate and co-operate with family members, involving them in appropriate decisions pertaining to an athlete’s development.

1.17 Clarify the nature of coaching services to participants, i.e., athletes, parents, family members or significant others.

**Confidentiality**

1.18 Determine, in consultation with athletes and others, what information is confidential.

1.19 Keep confidential any information about athletes or others gained through coaching activities and believed to be considered confidential by those persons.

1.20 Share confidential information only with the consent of those requesting confidentiality or in a way that the individual(s) involved cannot be identified.

1.21 Exercise discretion in recording and communicating information to prevent this information from being interpreted or used to the detriment of others.

1.22 Clarify and implement measures to protect confidential information, e.g., restricting access to confidential records.

**Mutual support**

1.23 Encourage a climate of mutual support among all participants in sport.
Extended responsibility

1.24 Encourage participants to respect one another and to expect respect for their worth as individuals

1.25 Keep informed on current issues related to respect for participants. E.g., gender equity.

RESPONSIBLE COACHING

The principle of responsible coaching carries the basic ethical expectation that the activities of coaches will benefit society in general and participants in particular and will do no harm. Fundamental to the implementation of this principle is the notion of competence, responsible coaching (maximizing benefits and minimizing risks to participants) is performed by coaches who are well prepared and current in their discipline.

In addition, responsible coaching means that coaches

1. act in the best interest of the athlete’s development as a whole person;
2. recognize the power inherent in the position of coach;
3. are aware of their personal values and how these affect their practice as coaches;
4. acknowledge the limitations of their discipline; and
5. accept the responsibility to work with other coaches and professionals in sport.

In being faithful to the principle of responsible coaching, coaches would adhere to the following ethical standards:

<table>
<thead>
<tr>
<th>Key Words</th>
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<tbody>
<tr>
<td><strong>Professional training</strong></td>
<td>2.1 Be responsible for achieving a high level of professional competence through appropriate training.</td>
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<td></td>
<td>2.2 Keep current with relevant information (knowledge), coaching and teaching skills and research through personal learning projects, discussions with colleagues, workshops, courses, conferences, etc. to ensure that coaching services benefit and to not harm others.</td>
</tr>
<tr>
<td><strong>Self knowledge</strong></td>
<td>2.3 Evaluate how personal experiences, attitude, beliefs, values, socio-economic status, sexual orientation, individual differences and stresses influence actions as coaches and integrate this awareness into all efforts to benefit and not harm others.</td>
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<tr>
<td></td>
<td>2.4 Engage in self-care activities that help to avoid conditions (e.g., burnout, addictions) that could easily result in impaired judgment and interfere with the ability to benefit and not harm others.</td>
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<tr>
<td><strong>Beneficence</strong></td>
<td>2.5 Coach in a way that benefits athletes, removes harm and acts consistently for the good of the athlete, keeping in mind that the same training, skills and powers that coaches use to produce benefits for athletes are also capable of producing harm.</td>
</tr>
<tr>
<td><strong>Coaching limits</strong></td>
<td>2.6 Take the limits of knowledge and capacity into account in coaching practice; in particular, do not assume responsibilities if insufficiently prepared for them.</td>
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<td>2.7 Recognize and accept when it is appropriate to refer athletes to other coaches or sport specialists.</td>
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</tbody>
</table>
2.8 Refrain from working in unsafe or inappropriate situations that significantly compromise the quality of coaching services and the health and safety of athletes.

**Athlete’s interest**

2.9 Ensure that activities are suitable for the age, experience, ability, and physical and psychological conditions of athletes.

2.10 Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments.

2.11 Refrain from using training methods or techniques that may harm athletes; monitor innovative approaches with care.

2.12 Be aware of significant pressures in athletes’ lives, e.g., school, family, and financial pressures, and coach in a manner that fosters positive life experiences.

2.13 Consider athletes’ future health and well-being as foremost when making decisions about an injured athlete’s ability to continue participating.

2.14 Strive to be fully present, physically and mentally, in the performance of coaching duties.

**Safety**

2.15 Ensure that athletes train and perform in suitable and safe settings.

2.16 Make athletes aware of their responsibilities for participating safely in sport.

**Sexual relationships**

2.17 Be acutely aware of power in coaching relationships and, therefore, avoid sexual intimacy with athletes, both during coaching and during that period following coaching during when imbalance in power could jeopardize effective decision-making.

2.18 Abstain from and refuse to tolerate in others all forms of harassment, including sexual harassment. Sexual harassment includes either or both of the following:

- the use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity. Such uses include explicit or implicit threats of reprisals for non-compliance or promises of reward for compliance.

- Engaging in deliberate or repeated sexually oriented comments, anecdotes, gestures or touching, if such behaviors a) are offensive and unwelcome; b) create and offensive, hostile or intimidating working environment; or c) can be expected to be harmful to the recipient.

**Colleagues**

2.19 Act towards other coaches in a manner characterized by courtesy, good faith and respect.

2.20 Collaborate with other coaches and colleagues from related disciplines.

2.21 Communicate and co-operate with health practitioners in the diagnosis, treatment and management of athletes’ health-related needs.
2.22 Use discretion for resolving disputes with colleagues, e.g., deal with differences of opinion constructively on a personal basis and refer more serious disputes to appropriate bodies.

Extended responsibility 2.23 Encourage others, when appropriate, to coach responsibly.

2.24 recognize and address harmful personal practices of others in sport, e.g., drug and alcohol addiction, physical and mental abuse, misuse of power.

2.25 Assume responsibility for the actions of athletes and other supervised individuals with regard to the principle of responsible coaching.

INTEGRITY IN RELATIONSHIPS
Integrity means that coaches are expected to be honest, sincere and honorable in their relationships with others. Acting on these values is most possible when coaches possess a high degree of self-awareness and the ability to reflect critically on how their perspectives influence their interactions with others.

In being faithful to the principle of integrity in relationships, coaches would adhere to the following ethical standards:

<table>
<thead>
<tr>
<th>Key Words</th>
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<tbody>
<tr>
<td>Honesty</td>
<td>Explore mutual expectations with athletes in an honest and open manner, giving due consideration to the age and experience of individuals.</td>
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<td>Accurately represent personal coaching qualifications, experience, competence and affiliations in spoken and written communications, being careful not to use descriptions or information that could be misinterpreted.</td>
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<td></td>
<td>Make athletes and others clearly aware of coaching qualifications and experience.</td>
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<td>Notify other coaches when working with those coaches’ athletes.</td>
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<tr>
<td>Sincerity</td>
<td>Honor all promises and commitments, both verbal and written.</td>
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<td>Act with an enthusiasm and genuine appreciation for sport.</td>
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<tr>
<td>Honor</td>
<td>Know the sport and abide by sport’s rules, regulations and standards.</td>
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<tr>
<td></td>
<td>Take credit only for the work and ideas actually done or generated and give credit for work done or ideas contributed by others.</td>
</tr>
<tr>
<td>Conflict of interest</td>
<td>Do not exploit any relationship established as a coach to further personal, political, or business interests at the expense of the best interest of their athletes or other participants.</td>
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<td></td>
<td>Be clear about and avoid abusing relationships (e.g., with athletes, assistants, officials, administrators, board members) and avoid other situations that might present a conflict of interest or reduce the ability to be objective and unbiased in the determination of what might be in the best interest of the athletes.</td>
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<td></td>
<td>Declare conflicts of interest when they arise and seek to manage them in a manner that respects the best interests of all those involved.</td>
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</tbody>
</table>
**Self-awareness**

3.12 Evaluate how personal experiences, attitudes, values, social context, individual differences and stresses influence coaching activities and thinking, integrating this awareness into all attempts to be neutral and unbiased in coaching.

3.13 Recognize and reveal whether personal views are based on facts, opinions, conjecture, theory, beliefs, etc.

**Extended responsibility**

3.14 Encourage athletes and other participants to develop and maintain integrity in their relationships with others.

**HONORING SPORT**

The principle of honoring sport challenges coaches to recognize, act on and promote the value of sport for individuals and teams and for society in general.

Honoring sport means that coaches

1. act on and promote clearly articulated values related to coaching and sport;

2. encourage and model honorable intentions and actions in their coaching practice; and

3. show high regard for and promote the value of sport in Canadian society and around the world.

In being faithful to the principle of honoring sport, coaches would adhere to the following ethical standards:

**Key Words**

<table>
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<tr>
<th>Ethical Standards</th>
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</thead>
<tbody>
<tr>
<td><strong>Spirit of sport</strong></td>
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<tr>
<td>4.1 Advocate and model the fundamentally positive aspects of sport, e.g., sporting and human excellence, fair play, honest competition and effort, self-discipline, integrity, personal growth and development, respect for the body, challenge and achievement, the joy of movement, and other positive aspects identified by participants.</td>
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<tr>
<td>4.2 Actively seek ways to reduce potentially negative aspects of sport, e.g., winning at all costs, playing to the letter of the rules at the expense of the spirit of the rules, exploiting unfairly competitors’ weaknesses, focusing on sport to the harmful exclusion of other aspects of athletes’ lives, initiating and supporting potentially harmful training regimes, and other negative aspects identified by participants.</td>
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<tr>
<td><strong>Respect for the rules</strong></td>
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<tr>
<td>4.3 Accept both the letter and the spirit of the rules that define and govern sport.</td>
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<tr>
<td>4.4 Actively encourage athletes and other participants to uphold the rules of the sport and the spirit of such rules.</td>
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<tr>
<td><strong>Respect for officials and other coaches</strong></td>
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<tr>
<td>4.5 Accept the role of officials in ensuring that competitions are conducted fairly and according to established rules.</td>
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<td>4.6 Refrain from abusive personal attacks on officials and other coaches, especially when talking with the media.</td>
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<tr>
<td><strong>Drug-free sport</strong></td>
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<td>4.7 Support initiatives that encourage the spirit of sport</td>
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<td>4.8 Actively discourage the use of performance-enhancing drugs; support athletes’ efforts to be drug-free.</td>
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</tbody>
</table>
4.9 Refrain from encouraging the use of alcohol and tobacco in conjunction with athletic events or victory celebrations at playing sites.

Positive role model

4.10 Maintain the highest standards of personal conduct and project a favorable image of the sport and of coaching to athletes, other coaches, officials, spectators, families, the media and the general public.

4.11 Project an image of health, cleanliness and functional efficiency in personal habits and appearance, e.g., refrain from smoking while coaching, and refrain from drinking alcoholic beverages when working with athletes.

Responsibility to coaching

4.12 Promote and maintain the highest standards of the coaching discipline.

4.13 Encourage measures to improve the quality and availability of coaches’ professional services.

4.14 Encourage measures that promote education, knowledge development and research in the field of coaching.

4.15 Develop the coaching profession by exchanging knowledge and experiences with colleagues, athletes and students and by being participants, course facilitators or master course conductors in courses and internships.

4.16 Uphold the responsibility to coaching by bringing incompetent or unethical behavior to the attention of appropriate regulatory committees in a manner consistent with the ethical principles of this code, if informal resolution or correction of the situation is not appropriate or possible.

Extended responsibility

4.17 Encourage athletes and other participants to honor sport on a lifelong basis.

CONSEQUENCES:
Failure to adhere to these ethical standards and codes of conduct will be subject to any of the following consequences:

1) Negotiation, facilitation, mediation, and/or arbitration as per MVA dispute resolution policy,
2) Letter of reprimand to an individual or club,
3) Probation – one year,
4) Suspension – one year to indefinite,
5) Loss or part of team’s or club’s performance bond.

PROCEDURES:
Investigation of complaints will be followed as per the MVA Investigation and Hearing Procedures Policy.
PREAMBLE

It is the policy of the Manitoba Volleyball Association (MVA) that every member of the Association can expect to participate in an environment in which all individuals are treated with respect and dignity. All participants will be afforded a sport environment free of harassment and abuse and will be protected from any form of harassment or abuse including discriminatory harassment based on age, gender, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, disability, marital status, or family status. All participants will be protected from harassment or abuse by any other participants (volunteers, coaches, athletes, officials) with whom they may have contact.

There will be zero tolerance for harassment or abuse.

This Policy also includes sexual harassment and gender based harassment, both of which are forms of discrimination based on sex and are prohibited by the Manitoba Human Rights Code.

Neither will the Manitoba Volleyball Association accept a hostile or poisoned environment. This may be defined as an atmosphere in which there is behaviour, language, audio or visual material or treatment of individuals which undermines their personal power, creates personal discomfort or jeopardizes their aspirations to achieve their personal goals within amateur sport.

The Manitoba Volleyball Association will act quickly on any complaint of harassment and/or abuse, brought to its attention, with the goals of resolving the situation fairly and of preventing future occurrences.

The Manitoba Volleyball Association will be pro-active in ensuring that its members are aware of all participants’ rights and obligations as outlined in this policy. The Manitoba Volleyball Association is committed to the education of all of its members in the area of abuse and harassment.

Discrimination and harassment are contrary to the Human Rights Code of Manitoba and the Canadian Human Rights Act. Abuse is against the Canadian Criminal Code, the Canadian Young Offenders' Act and the Child and Family Services Act of Manitoba. This Policy does not preclude the reporting of complaints of discrimination or harassment to the Manitoba Human Rights Commission or the Canadian Human Rights Commission, the Criminal courts or Child and Family Services.

Nothing in this policy shall be construed as removing any statutory rights or obligations. The procedures herein described shall be carried out independently of any investigations conducted by any external agency.
PURPOSES OF THE POLICY

1. The purposes of this Policy are:

(a) to maintain an environment that is free from harassment and discrimination;

(b) to alert all members and employees of the Manitoba Volleyball Association to the fact that harassment and discrimination as defined herein are prohibited by law;

(c) to set out the types of behaviour that may be considered offensive;

(d) to establish a mechanism for receiving complaints and to provide a procedure by which the Manitoba Volleyball Association will deal with these complaints.

2. This Policy is not intended to constrain social interaction between people in the Manitoba Volleyball Association.

3. The Manitoba Volleyball Association recognizes that its members and employees may be subjected to harassment or abuse by others or may harass or abuse others who conduct business with Manitoba Volleyball. In these circumstances Manitoba Volleyball acknowledges its responsibility to do all in its power to support and assist the person subjected to such harassment or abuse. The Manitoba Volleyball Association will also endeavor, when appropriate or possible to assist respondents in the process defined herein.

4. This policy applies to all employees as well as to all directors, officers and volunteers of the Manitoba Volleyball Association. The Association encourages the prompt reporting of all incidents of abuse and harassment, regardless of who the respondent may be.

RESPONSIBILITY OF SPORTS ADMINISTRATORS, PARENTS, COACHES, TRAINERS, SPORTS THERAPISTS, REFEREES, TEACHERS

Anyone in a position of authority, responsibility, supervision, control or management who knows or ought reasonably to know that a person has experienced or is experiencing discrimination, harassment or abuse is required to take reasonable steps to prevent or stop the discrimination, harassment or abuse and to notify either the internal Officer (see Addendum I for definition) and, where appropriate, the authorities (police, Child and Family Services).

COMPLAINT PROCESS

The Officer will:

a. advise Complainants and Respondents of all options available for resolution of the complaint;
b. advise Complainants and Respondents of the availability of counseling and other support services provided by the Manitoba Volleyball Association;

c. advise as to the right to be represented by legal counsel or any other person of choice at any stage of the process;

d. advise the right to withdraw from any further action in connection with the complaint (even though the Manitoba Volleyball Association may continue to investigate the complaint.);

e. advise as to other avenues of recourse such as the right to file a complaint with the Manitoba Human Rights Commission or, where appropriate, the right to lay any information under the Criminal Code or the Young Offenders’ Act or to report to Child and Family Services;

f. advise as to any time limits which may apply to such other avenues or recourse.

If the Officer is a Complainant or Respondent, the complaint should be made to one of the External Consultants.

If one of the Consultants is a Complainant or Respondent, the complaint should be made to the Officer.

If the Executive Director (or President) of the Manitoba Volleyball Association or any member or the Executive of the Association is a Complainant or Respondent, the complaint should be made to the Officer.

A. INFORMAL COMPLAINTS

Anyone who makes a complaint or who is charged with harassment, discrimination or abuse has the right to bring a supporter to any interview regarding the charge.

The Complainant has the option of having the complaint proceeded with either informally or formally.

Informal resolution may take the form of mediation, conciliation, counseling of one or both of the parties or similar activities.

If an informal resolution acceptable to both the Complainant and the Respondent is reached, the Officer or Executive Director (or President) shall, where appropriate, prepare a Record of Resolution which shall be placed in the disputant’s files and in the files of the Officer or Executive Director (or President).
The Complainant has no responsibility to confront the alleged harasser/abuser but may do so if s/he chooses. If anyone believes that s/he is being harassed or abused wishes, s/he may confront the alleged harasser/abuser either in writing or in person or both. If the Complainant is dissatisfied with the result of the confrontation, s/he may bring the complaint to the Officer.

B. FORMAL COMPLAINTS

Anyone who makes a complaint or who is charged with harassment, discrimination or abuse has the right to bring a supporter to any interview regarding the charge.

The Complainant shall provide a written complaint, with his/her signature, to the Officer and shall be advised that s/he has the right to be represented by legal counsel or other person of choice at any stage of the process. The Officer shall inform one of the Investigators who shall then be involved in the process until it’s resolved.

The Respondent shall be provided with a copy of the complaint and shall respond in writing within seven working days.

The Respondent shall be provided with a copy of this policy.

The Respondent shall be advised of the right to be represented by legal counsel or other person of choice at any stage of the process.

If the Complainant consents, the Consultant may attempt to seek a resolution prior to the initiation of a formal Inquiry.

If a resolution is achieved, which is satisfactory to the disputants, prior to the initiation of a formal Inquiry, the Consultant will advise the Complainant and the Respondent that the complaint may still have to be pursued and that disciplinary action may be appropriate.

If the complaint is not resolved, the Consultant will investigate the complaint and will prepare an Inquiry Report, within 10 working days.

A copy of the Inquiry Report shall go to the Complainant, the Respondent and the Executive Director (or President) of the Manitoba Volleyball Association.

SUSPENSION OR REMOVAL

The Officer or the Consultant may recommend that the Complainant or the Respondent be transferred, suspended, or removed from the situation in question, either temporarily or permanently. If there is an option as to whether to transfer, suspend or remove either the Complainant or the Respondent, the Respondent shall be the first choice to be
transferred, suspended or removed. In some circumstances, the Complainant may choose to be transferred, suspended or removed and the Complainant's wishes should be considered.

Where the nature of the complaint so warrants, the officer of the consultant may recommend that the respondent be immediately removed from the situation in question pending the completion of the investigative process. Such a recommendation will become effective upon approval by the Executive Committee.

THE INVESTIGATION REPORT

The Investigation Report should contain:

a. a summary of all the relevant facts;
b. a determination as to whether the acts in question constitute discrimination, harassment or abuse, as defined in this policy;
c. if the act(s) constituted discrimination, harassment or abuse, a recommended disciplinary action against the Respondent;
d. if the complaint is frivolous or malicious, a recommended disciplinary action against the Complainant;
e. a determination as to whether the Complaint was as a result of a misunderstanding.

When recommending disciplinary action to be taken, such factors as the following should be considered:

a. the nature of the act;
b. whether any physical contact was involved;
c. whether the act was an isolated incident or part of an ongoing pattern;
d. the nature of the relationship between the Complainant and the Respondent;
e. the relative ages of the Complainant and the Respondent;
f. whether the Respondent had been involved in previous acts of discrimination, harassment or abuse;
g. whether the Respondent retaliated against the Complainant.

A copy of the Investigation report shall be given to the Complainant, the Respondent and the Executive Director (or President) of the Association.

If the Executive Director (or President) is either a Complainant or a Respondent, a copy of the report shall be given to the President (or Vice-President) of the Association.
**APPEALS**

A Complainant or Respondent who is dissatisfied with the decision of the Consultant or with any disciplinary action taken may appeal to the Executive Director (or President) of the Manitoba Volleyball Association, within 30 days of the date on which s/he received notice of the decision or the disciplinary action.

If the Executive Director (or President) is either a Complainant or a Respondent, s/he shall appeal to the President (or Vice-President of the Association).

The notice of appeal shall be in writing and shall set out the grounds for appeal.

Upon receipt of the notice of appeal, the Executive Director (or President) shall send a copy of the notice of appeal, by registered mail, to the last known addresses of the Complainant and of the Respondent.

The Executive Director (or President) shall constitute an Appeal Panel, to consider the appeal.

Both the Complainant and the Respondent may attend at the appeal hearing and they may bring with them all relevant witnesses and other evidence they wish to be considered by the Appeal Panel.

The Appeal Panel shall send a notice of its decision to the last known addresses of the Complainant and the Respondent, by registered mail, within 10 days after completing a hearing.

**FRIVOLOUS AND/OR MALICIOUS COMPLAINTS**

A frivolous and/or malicious complaint is a complaint that is made when the Complainant knows the complaint is false and makes the complaint for the purpose of causing harm to the Respondent. A frivolous complaint constitutes harassment. A frivolous complainant will be disciplined.

**MISUNDERSTANDINGS**

Complaints that are made but are determined to be based in a misunderstanding are not frivolous and/or malicious complaints, nor will the Complainant be disciplined.

**UNFOUNDED COMPLAINTS**

A complaint which is made in good faith but cannot be proved is not a frivolous or malicious complaint, nor will the Complainant be disciplined.
CONSENSUAL RELATIONS

No one in a position of authority, responsibility, supervision, control or management over another, such as a coach, trainer, teacher or therapist, shall have an amorous relationship with a person who is subordinate, such as an athlete. Such relationships greatly increase the chances that the person in the position of power or control will abuse his or her power and sexually exploit the subordinate.

Voluntary consent by the subordinate in such a relationship is highly suspect, given the fundamental asymmetric nature of a relationship. Depending on their age, some minors are unable to give voluntary consent to such a relationship. Moreover, other subordinates may be affected by such unprofessional behaviour because it places the person with the power or control in a position to favor or advance a subordinate's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors.

In such situations, the person in the position of power or control may face serious conflict of interest and should distance him or herself from any decisions that may reward or penalize the subordinate involved. Any person in a position of power or control who fails to withdraw from activities or decisions that may reward or penalize a subordinate with whom the person with power or control has or has had an amorous relationship will be deemed to have violated his or her ethical, and, in some cases, legal obligation to the subordinate, the others involved in the sport and to the Manitoba Volleyball Association.

KEEPING OF RECORDS

Where the Inquiry results in a finding that the complaint of harassment is substantiated, the outcome of the inquiry and any disciplinary action will be recorded in the personnel file of the Respondent.

Where the Inquiry results in a finding that the complaint of harassment is not proved, all records of the complaint shall be removed from the personnel file of the Respondent, unless the Respondent chooses to have the record kept in his/her personnel file.

Where the Inquiry results in a finding that the complaint of harassment has been brought frivolously or maliciously, disciplinary action may be appropriate against the Complainant and the outcome of the Inquiry and the disciplinary action will be recorded in the Complainant's personnel file.

The Officer and the Consultant will keep all files, notes and records related to any complaint of discrimination, harassment or abuse.

DISCIPLINARY ACTION

If disciplinary action is required, it shall be the responsibility of the Executive Director (or President).
Anyone against whom a complaint of discrimination or harassment is substantiated may be severely disciplined, up to and including dismissal. This policy will be applied irrespective of seniority.

Anyone who has been found to have brought a complaint maliciously or frivolously may be severely disciplined, up to and including dismissal.

Disciplinary action may include:

a. a written apology;
b. a written reprimand delivered and recorded in a personnel file;
c. referral to counseling;
d. transfer;
e. withholding of promotion;
f. demotion;
g. suspension with or without pay;
h. dismissal/expulsion;
i. responsibility for Complainants' losses including counseling costs, loss of income and benefits or other expenses;
j. responsibility for all or part of the costs of the investigation.

CONFIDENTIALITY

The Manitoba Volleyball Association understands that it is difficult to come forward with a complaint of discrimination, abuse or harassment and recognizes the interest of both the Complainant and the Respondent in keeping the matter confidential.

Confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. However, confidentiality cannot be guaranteed.

Anonymous complaints cannot be dealt with as Respondents have the right to be given full particulars of any complaint brought against them.

All records, notes and files will be kept confidential except where disclosure is required by a disciplinary or other remedial process, or as is required by law.
PROTECTION AGAINST RETALIATION

The Manitoba Volleyball Association will not retaliate against any individual who reports harassment, nor will it permit any member or employee to do so.

Protection against retaliation includes any retaliation for:

a. having invoked this policy (whether on behalf of one’s self or another individual);

b. having participated or cooperated in any investigation under this policy, or

c. having been associated with a person who has invoked this policy or participated or cooperated in any investigation:

Such retaliation will be treated as harassment and anyone who retaliates will be subject to disciplinary action.

HARASSMENT BY PERSONS WHO ARE NOT MEMBERS OR EMPLOYEES OF THE MANITOBA VOLLEYBALL ASSOCIATION

A member or employee of the Manitoba Volleyball Association who considers that s/he has been subjected to harassment, discrimination or abuse by a person who is not a member or employee of the Association should seek advice from the Officer and/or the Consultant.

The Officer and/or the Consultant will take whatever action is necessary to ensure that the Association fulfills its responsibility to support and assist the person subjected to such harassment.

TIME LIMITATION

A complaint made pursuant to this policy must be made, ordinarily, within six months of the most recent alleged incident.

Anyone may make a complaint on behalf of another, within six months from the date of the most recent alleged incident.

The time limitation may be waived, in the discretion of the Board or the Executive Director (or President) as long as neither the Complainant nor the Respondent would be prejudiced by the waiving of the limitation.
ADDENDUM I

DEFINITIONS

1. COMPLAINANT

An employee athlete, coach, official, volunteer or other participant of a sports activity, who thinks that s/he has been harassed or abused, and who makes an informal or a formal complaint.

2. RESPONDENT

The alleged perpetrator of the action(s) which the complainant thinks constituted harassment or abuse.

3. THE OFFICER

The role of the Officer is to serve in a neutral, unbiased capacity, to provide information about the resources and support available and to receive simple complaints, assist in informal resolution of complaints and to make recommendations as to further action. The Officer will handle complaints which may be resolved through informal procedures, and refer all other complaints to the Investigator.

The Officer shall be responsible to the Executive Director (or President) of the Manitoba Volleyball Association and shall:

(a) be responsible for the implementation of this policy;
(b) not act as an advocate for any individual in relation to this policy;
(c) function as an advocate for the elimination and prevention of discrimination, harassment and abuse;
(d) act as a registrar of complaints;
(e) act as an investigator of complaints;
(f) refer appropriate matters, concerns and investigations to the Investigator;
(g) maintain confidential records and statistics on all matters of alleged discrimination, harassment and abuse;
(h) report monthly to the Board of The Manitoba Volleyball Association through the Executive Director (or President), on the status of the cases pursuant to policy, without names or other identification;

(i) act as an education officer;

(j) provide an annual report to the Board of the Manitoba Volleyball Association, through the Executive Director (or President).

4. EXTERNAL CONSULTANTS

The Manitoba Volleyball Association will have, in its files, a list of Consultants to whom the Officer may refer individuals when appropriate. The Consultant will be external to the Manitoba Volleyball Association and will have no other responsibilities at the Association, other than those pursuant to this policy. The Consultant will have knowledge and expertise in the matters dealt with under this policy. S/he will be available to the Association and the Officer, to assist them in dealing with any complaint made under this policy. All matters that may involve criminal proceedings will be dealt with by the Consultant. Any complaints concerning the Board or Executive Director (or President) of the Manitoba Volleyball Association will be dealt with by the Consultant.

The Consultant will act as an investigator, when appropriate, and will have responsibility for educational programs, when appropriate.

5. INVESTIGATION REPORT

The product of an investigation completed by the Officer or the Consultant, including, but not limited to, a summary of the details, determination of harassment, and recommended disciplinary action if harassment is found.

6. DISCRIMINATION

Differential treatment on the basis of an individual's ancestry, colour, perceived race, nationality, national origin, ethnic background or origin, religion, creed or religious belief, religious association or activities, age, sex, gender, physical characteristics, pregnancy, sexual orientation, marital or family status, source of income, political belief, association or activity, physical or mental disability (save and except where such differential treatment is permitted by law).

Discrimination can be constituted by the effect of action or omission. Intent to discriminate is not a prerequisite to a finding of discrimination.

Discrimination does not include any special programs designed to relieve disadvantage for individuals or groups identified on the basis of the grounds noted above.
7. **DISCRIMINATORY HARASSMENT**

Any unwelcome or abusive comment or conduct concerning an individual's ancestry, colour, perceived race, nationality, national origin, ethnic background or origin, religion, creed or religious belief, religious association or activities, age, sex, gender, physical characteristics, pregnancy, sexual orientation, marital or family status, source of income, political belief, association or activity, physical or mental disability.

8. **ABUSE OF AUTHORITY**

A form of harassment which occurs when an individual improperly uses the power and authority inherent in his or her position, to endanger or undermine an employee's or a member's job, team status or position. It includes such acts or misuses of power as intimidation, threats, blackmail or coercion.

9. **PERSONAL HARASSMENT**

Any improper behaviour by any employee or member of the Manitoba Volleyball Association or conducting business with the Association that is directed at and offensive to any member or employee of the Association or conducting business with the Association, and which a person knew or ought reasonably to have known would be unwelcome. It comprises objectionable conduct, comment or display made on either a one-time or continuous basis that demeans, belittles or causes personal humiliation or embarrassment.

10. **SEXUAL HARASSMENT**

a. One incident or a series of incidents involving unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature;

(i) when such conduct might reasonably be expected to cause insecurity, discomfort, offense or humiliation to another person or group; or

(ii) when submission to such conduct is made implicitly or explicitly a condition for the provision of benefits of any kind; or

(iii) when submission to such conduct is made implicitly or explicitly a condition of sport participation or employment; or

(iv) when submission to or rejection of such conduct is used as a basis for any decision made with respect to employment or sport participation; or

(v) where such conduct has the purpose or the effect of interfering with a person's work or sport performance or creating an intimidating, hostile or offensive work or sport environment.
b. Sexual Harassment may include, but is not limited to the following:

- sexist jokes causing embarrassment or offense;
- leering;
- the display of sexually offensive material;
- sexually degrading words used to describe a person;
- derogatory or degrading remarks directed towards members of one sex or one sexual orientation;
- sexually suggestive or obscene comments or gestures;
- unwelcome inquiries or comments about a person's sex life;
- unwelcome sexual flirtations, advances, propositions;
- persistent unwanted contact or attention after the end of a consensual relationship;
- requests for sexual favors;
- unwanted touching;
- verbal abuse or threats;
- sexual assault.

Although sexual harassment typically involves a female Complainant, both males and females can be subjected to sexual harassment by members of either sex. Although sexual harassment is typically committed by a person in a superior position against a person in a subordinate position, people in subordinate or equal positions may also commit sexual harassment.

11. OFF-PREMISES HARASSMENT AND ABUSE

Work or sport related discrimination, harassment or abuse can occur in places other than the work-place or sport-place. It can also occur:

a. at work or at sport related social functions;

b. on work or sport related conferences or travel;
c. elsewhere where the individuals involved have a work or sport related relationship.

d. at sporting events, competitions and in training sessions;

e. at the office;

f. over the telephone or Fax or e-mail or computer;

g. at the organization's business functions, such as meetings, conferences, training sessions and workshops;

h. elsewhere, if the person harassed is there as a result of work or sport related responsibilities or a work or sport related relationship.

Protection against all acts of harassment extends to incidents occurring at or away from the workplace or sport venue and during or outside normal working or sport participation hours, provided such acts are committed within the course of employment or participation in the sport, or in the provision of goods, services, facilities or accommodation or where the individuals involved have a work or sport related relationship.

12. CHILD ABUSE

The Manitoba Child and Family Services Act defines abuse as an act or omission of a parent or guardian of a child or of a person having care, custody, control or charge of a child where the act or omission results in:

1. physical injury to the child;

2. emotional disability of a permanent nature in the child or is likely to result in such a disability, or

3. sexual exploitation of the child with or without the child's consent.

The focus of the legislation includes situations involving a parent, guardian, teacher, baby-sitter, day care worker, coach, group leader or anyone in a position of trust with the child.

13. NEGLECT

Neglect occurs when a primary caregiver endangers a child's welfare by failing to provide for physical, emotional, emotional or medical needs.

14. PHYSICAL ABUSE

Physical abuse is any intentional non-accidental injury of a child.
15. **EMOTIONAL ABUSE**

The damaging, by whatever means, of a child's self-image by an adult responsible for the child's nurturing or learning, resulting in a decrease in the child's feeling of personal worth, and thus in his ability to love, to trust and to feel at one with the human race.

16. **SEXUAL ABUSE**

Sexual abuse is the use of a child for sexual purposes by an adult, or the allowing of such use of a child by a parent, caretaker, or legal guardian. It includes any manual, oral or genital sexual contact or the use of an object for sexual touching or penetration or any other explicitly sexual behaviour that an adult imposes on a child by exploiting the child's vulnerability and powerlessness.

Sexual abuse is both a child welfare and a criminal offense. Any allegation or suspicion of sexual abuse must be reported to Child and Family Services and the police.

17. **SEXUAL HARASSMENT**

The same definition of sexual harassment, as is given, above, in the DEFINITIONS section also applies to minors, pursuant to s. 17 of the Child and Family Services Act of Manitoba.

18. **CHILD ABUSE REGISTRY**

The Director of Child and Family Services maintains a child abuse registry. The Child and Family Services Act, Articles 19 (1) to 19.5(1) outlines reporting procedures, appeal procedures, etc..

See Appendix II for a copy of the Articles pertaining to the registry.

Any allegations of physical and/or sexual abuse involving an individual under 18 years of age should be reported to the police or Child and Family Services immediately. Failure to do so may result in criminal charges brought against the individuals who failed to report the incidents.

Any allegations of sexual harassment involving an individual under 18 years of age who is subjected to "aggression or sexual harassment that endangers the life, health or emotional well-being of the child" may cause that child to be in need of protection, pursuant to the Child and Family Services Act, s. 17 (2) (f).