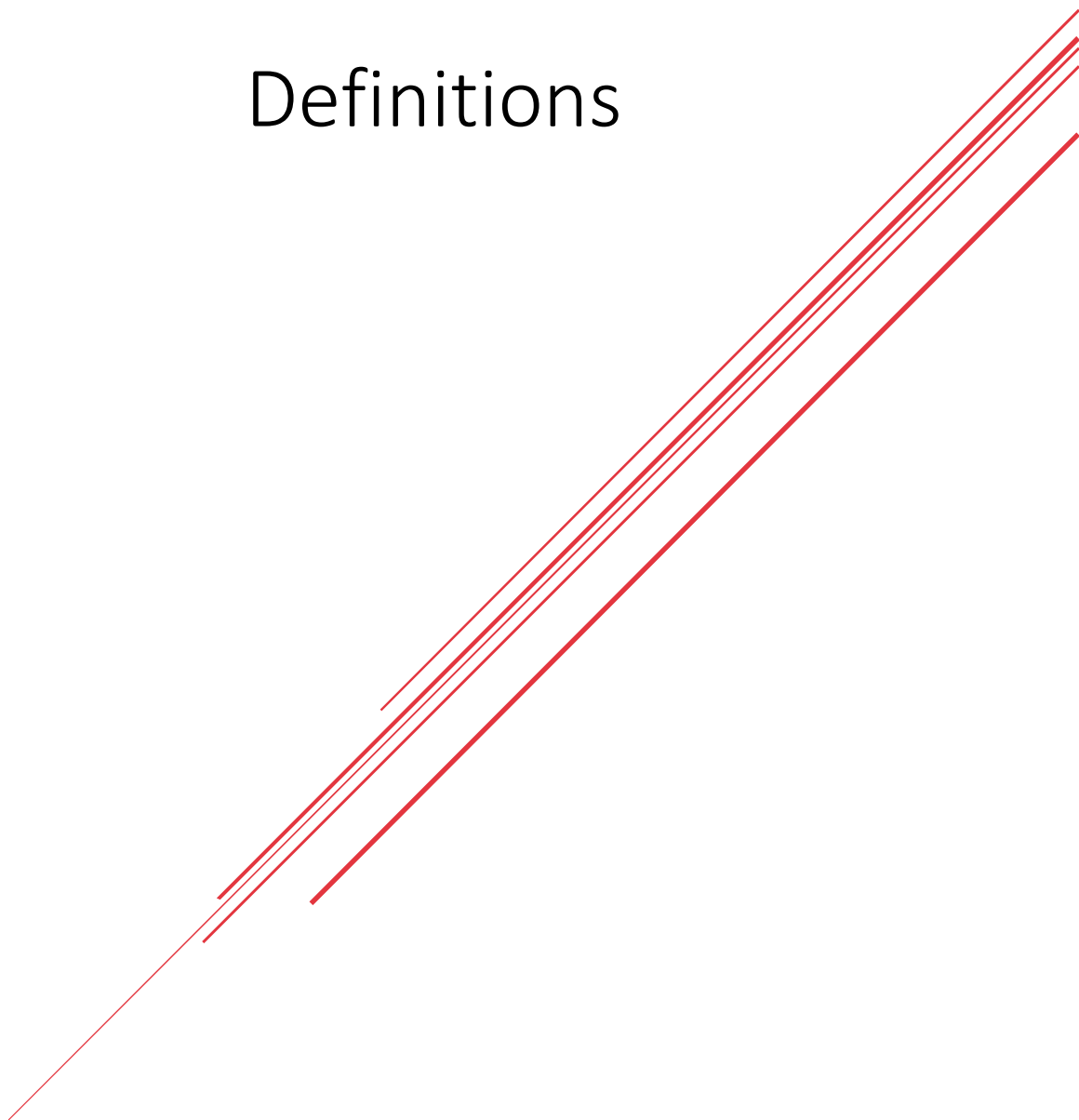




# TAEKWONDO CANADA

## Policy

## Definitions



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## Revision History

Approved/Reviewed/ Revised/Rescinded	Date	Comments
Initial Policy Approval	November 27, 2022	

***The terms defined below shall apply to all Taekwondo Canada policies, unless otherwise stated therein.***

1. ***"Affected Party"*** - Any Participant or entity, as determined by the Case Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right under the *Appeal Policy*
2. ***"Appellant"*** - The Party appealing a decision pursuant to the *Appeal Policy*
3. ***"Appeal Panel"*** - A Single person, or in extraordinary circumstances and at the discretion of the Case Manager, three persons, who will hear and decide an appeal under the *Appeal Policy*
4. ***"Athlete"*** - An individual who is an Athlete Participant in Taekwondo Canada who is subject to the policies of Taekwondo Canada
5. ***"Athlete Support Personnel"*** - Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition
6. ***"Board"*** - The Board of Directors of Taekwondo Canada or a Member, as applicable
7. ***"Bullying"*** - Offensive behaviour and/or abusive treatment of a Participant that typically, but not always, involves an abuse of power
8. ***"Case Manager"*** - An independent individual appointed by Taekwondo Canada, who need not be registered with or affiliated with Taekwondo Canada, to administer the *Appeal Policy*. The Case Manager must not be in a conflict of interest or have any direct relationship with the Parties
9. ***"CCES"*** - Canadian Centre for Ethics in Sport
10. ***"Clubs"*** - those clubs registered with Taekwondo Canada's Members
11. ***"Complainant"*** - A Participant who makes a report of an incident, or a suspected incident, of alleged Maltreatment, Prohibited Behaviour or other misconduct that may be a violation of the standards described in Taekwondo Canada's policies, by-laws, rules or regulations, or the UCCMS
12. ***"Costs of mediation or facilitation"*** - Fees for the mediator/facilitator and any hosting or related costs
13. ***"Days"*** - Calendar days<sup>1</sup>
14. ***"Director of Sanctions and Outcomes"*** - The individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the UCCMS (or other conduct rules, as applicable) within the jurisdiction of the OSIC
15. ***"Discrimination"*** - As defined in the UCCMS and as amended from time to time by the SDRCC.
16. ***"Event"*** - An event sanctioned by Taekwondo Canada or a Member, and which may include a social Event
17. ***"External Discipline Panel"*** - A Panel of one or three people who are appointed by the Independent Third Party to decide on complaints that are assessed under Process #2 of the *Discipline and Complaints Policy*
18. ***"Harassment"*** - A course of vexatious comment or conduct against a Participant or group, which is known or ought reasonably to be known to be unwelcome
19. ***"In writing"*** - A letter or email sent direct to, or by, Taekwondo Canada
20. ***"Independent Third Party"*** - The individual retained by Taekwondo Canada to receive Reports and complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*, and *Appeal Policy*, as applicable. This individual must not be in a real or perceived conflict of interest or have a direct relationship with any of the Parties
21. ***"Internal Discipline Chair"*** - An individual appointed by Taekwondo Canada to decide on complaints that are assessed under Process #1 of the *Discipline and Complaints Policy*. The Internal Discipline Chair may be

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<sup>1</sup> For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday, or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday, or a legal holiday. For example, if an Individual receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021 is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the individual seeking to file an appeal) on January 4, 2021.

a director, head coach, staff member, or other individual affiliated with Taekwondo Canada but must not be in a conflict of interest or have a direct relationship with any of the Parties.

22. **"Maltreatment"** - As defined in the UCCMS and as amended from time to time by the SDRCC.
23. **"Member"** - A Member as defined by the Taekwondo Canada By-laws.
24. **"Minor"** - As defined in the UCCMS and as amended from time to time by the SDRCC
25. **"OSIC"** - The Office of the Sport Integrity Commissioner, an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner
26. **"Participant"** - Refers to all categories of individual members and/or registrants defined in the By-laws of Taekwondo Canada who are subject to the policies of Taekwondo Canada, as well as all people employed by, contracted by, or engaged in activities with, Taekwondo Canada including but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, directors or officers
27. **"Party" (or "Parties")** - The individuals involved in a dispute
28. **"Person in Authority"** - Any Participant who holds a position of authority within Taekwondo Canada including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, or directors or officers
29. **"Physical Maltreatment"** - As defined in the UCCMS and as amended from time to time by the SDRCC
30. **"Power Imbalance"** - As defined in the UCCMS and as amended from time to time by the SDRCC
31. **"Prohibited Behaviour"** - As defined in the UCCMS and as amended from time to time by the SDRCC
32. **"Provisional Suspension"** - Means that the Participant is barred temporarily from participating in any capacity in any Event or activity of Taekwondo Canada and its Members, as applicable, or as otherwise decided pursuant to the *Discipline and Complaint Policy*, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*
33. **"Registered Club"** - those clubs registered with Taekwondo Canada's Provincial and Territorial Sections
34. **"Reporting" (or "Report"/"Reported")** - As defined in the UCCMS and as amended from time to time by the SDRCC
35. **"Respondent"** - The Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Participant that was the subject of a decision that is being appealed.<sup>2</sup>
36. **"Sexual Maltreatment"** - As defined in the UCCMS and as amended from time to time by the SDRCC
37. **"SDRCC"** - The Sport Dispute Resolution Centre of Canada.
38. **"UCCMS"** - The *Universal Code of Conduct to Prevent and Address Maltreatment in Sport*, as amended from time to time by the SDRCC
39. **"UCCMS Participant"** - A Participant affiliated with Taekwondo Canada who has been designated by Taekwondo Canada as a UCCMS Participant and who has signed the required consent form. For Taekwondo Canada, UCCMS Participants include Taekwondo Canada board members, employees, committee volunteers, national team coaches and staff, technical officials, national team Athletes (senior, junior, cadet and poomsae), event volunteers, contractors and medical personnel
40. **"Vulnerable Participant"** - As defined in the UCCMS and as amended from time to time by the SDRCC
41. **"WADA"** - the World Anti-Doping Agency.
42. **"Workplace"** - Any place where business or work-related activities are conducted. Workplaces include but are not limited to Taekwondo Canada 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.
43. **"Workplace Harassment"** - A course of vexatious comment or conduct against a 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

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<sup>2</sup> For clarity, in the case of an appeal from a decision of an Internal Discipline Chair or an External Discipline Panel struck under the *Discipline and Complaints Policy*, the Respondent will be Taekwondo Canada, and not the member or members comprising the Internal Discipline Chair or an External Discipline Panel.

work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions

44. ***“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.