



DEFINITIONS

The terms defined below shall apply to all Skate Canada New Brunswick Policies

1. ***“Abuse”*** – Acts that result in harm, potential for harm, or threat of harm to a person, including of a physical, psychological and sexual nature
2. ***“Affected Party”*** – Any individual 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
3. ***“Appellant”*** – The Party appealing a decision
4. ***“Athlete”*** – Includes any individual who is a registered to compete for Skate Canada New-Brunswick (SCNB).
5. ***“Board”*** – pursuant to the Bylaws, means the board of directors of Skate Canada New Brunswick
6. ***“Bylaws”*** – the bylaws of Skate Canada New Brunswick as amended and which are, from time to time, in force and effect
7. ***“Case Manager”*** – A person or organization appointed by Skate Canada New Brunswick who may be any staff member, committee member, volunteer, Director, or an independent third party, to oversee the *Social Media Policy*, *Appeal Policy* and the *General Dispute Reporting and Resolution Policy*. The Case Manager will have responsibilities that include, but are not limited to:
 - i. Ensuring procedural fairness;
 - ii. Respecting the applicable timelines; and
 - iii. Using decision making authority empowered by this Policy.
 - iv. Oversee management and administration
8. ***“Club”*** – pursuant to the Bylaws, means an organization that is operating for the general purpose of providing Skate Canada programs and is managed by a volunteer board of directors
9. ***“Coach”*** – pursuant to the Bylaws, means a skating expert with the required National Coaching Certification Program qualifications to provide a remunerated service at Skate Canada sanctioned clubs and skating schools, both on and off-ice. These individuals shall have registered, provided full payment and have met all professional coach registration requirements as set annually by Skate Canada
10. ***“Committee Member”*** – an individual elected or appointed to a committee as a member of a committee of Skate Canada New-Brunswick.
11. ***“Complainant”*** – the Party making a complaint
12. ***“Concussion”*** – a form of traumatic brain injury induced by biomechanical forces that result in signs and symptoms that typically resolve spontaneously within 1-4 weeks of injury
13. ***“Criminal Record Check (CRC)”*** – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
14. ***“CSA approved hockey helmet”*** – means a helmet certified by the Canadian Standards Association (CSA) Group to protect against serious head injuries
15. ***“Days”*** – Days including weekends and holidays
16. ***“Decision”*** – Conclusions and actions to be taken as determined by the Case Manager at the end of the resolution process.



17. “*Director*” –pursuant to the Bylaws, means a person elected or appointed to serve on the Board
18. “*Discipline Chair*” – An individual or individuals and/or organization appointed by the Executive Director to be the first point-of-contact for all discipline and complaint matters reported to Skate Canada New Brunswick, per the *Discipline and Complaints Policy and/or Social Media Policy*.
19. “*Discrimination*” – Behaviour / harassment consisting of actual or perceived adverse differential treatment of an individual based on a personal characteristic (collectively known as “prohibited grounds”) as established in the Canadian Human Rights Act, in force and effect and as amended from time to time, including, but not limited to, race, ancestry, national or ethnic origin, citizenship, colour, religion, age, creed, sex, sexual orientation, gender identity or expression, family status, marital status, genetic characteristics, disability, record of offenses, and any other characteristic prohibited by law.
20. “*Employee*” – a person who is hired by Skate Canada New Brunswick on a permanent full-time or short-term on-going basis, or on a temporary / contract basis for a defined period of time. Employees may also include certain independent contractors/consultants who, while not technically employees within the meaning of applicable labour or tax laws, have been identified as being subject to this Policy
21. “*Enhanced Police Information Check (E-PIC)*” – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
22. “*Event*” – An event sanctioned by Skate Canada New-Brunswick
23. “*General dispute*” – A disagreement between parties to whom the *General Dispute Reporting and Resolution Policy* applies: in respect of a matter of governance or contract which has a material adverse effect on the figure skating environment in which Skate Canada programs are delivered, and/or where an individual has committed a serious breach of the membership rules, regulations and/or policies of Skate Canada New-Brunswick/Skate Canada.
24. “*Harassment*” – Any vexatious comments, conduct, behaviour, actions or gestures that are committed, threatened or attempted against another person that are insulting, intimidating, demeaning, malicious or offensive, where the person knows or ought reasonably to know that such behaviour or comments are unwelcome, including but not limited to sexual harassment, and criminal harassment as defined in the Criminal Code in force and effect and as amended from time to time, which includes prohibited conduct that causes the other person reasonably, in the circumstances, to fear for their safety or the safety of anyone known to them. See also the definition of “sexual harassment”.
25. “*Individuals*” – All categories of membership defined in Skate Canada New Brunswick’s Bylaws, as well as all individuals employed and/or contracted by, or engaged in activities with, Skate Canada New Brunswick including, but not limited to, registrants, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, medical and paramedical personnel, Directors and Officers of Skate Canada New Brunswick, spectators at events, and parents/guardians of athletes.
26. “*Investigator*” – A person appointed by Skate Canada New Brunswick who may be any staff member, committee member, volunteer, Director, or an independent third party, who will assist the Case Manager in the *General Dispute Reporting and Resolution Policy, Investigation Policy and Discipline and Complaints Policy* with collecting all relevant information from all parties concerned with a complaint and providing an analysis of all information collected.



27. “Law” – Any applicable legislation, statutes, regulations, policies, rules and codes of conduct established by government, legal or regulatory authority, or by any self- regulated industry association by which Skate Canada New-Brunswick is or has agreed to be bound.
28. “Local Police Information (LPI)” – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
29. “Member” – pursuant to the Bylaws, means each person that meets the requirements of any of the three-member classes as defined in Article 3 of the Bylaws and that has been duly admitted as a member of Skate Canada (which includes coaches, clubs, and skating clubs)
30. “Minor” – a child under the age of majority and as defined in the province or territory of Canada, as may be amended from time to time. It is the responsibility of the adult to know the age of a minor
31. “Misconduct” – means acts, conduct and/or behaviours that result in or have the potential to result in physical or psychological harm, which for the purposes of Skate Canada Policy includes: maltreatments (behaviours, acts and/or conduct of abuse including physical, psychological, and sexual; neglect; grooming; and interference or manipulation with the process related to the implementation of Skate Canada’s policies, including retaliation, aiding and abetting, failure to report maltreatment of a minor, failure to report inappropriate conduct, and intentionally filing a false allegation), bullying, harassment, and discrimination all as defined in Skate Canada’s policies.
32. “Officer” – pursuant to the Bylaws, means the President and such other officers as the Board may determine by Ordinary Resolution
33. “Organization” – Skate Canada New Brunswick, unless otherwise noted
34. “Participant” – a person, and includes individuals (registrants and members), parents, guardians of minor skaters, as well as other persons in any way connected with skaters of Skate Canada New Brunswick This includes but is not limited to: team leaders, referees, medical / licensed healthcare professionals, paramedical, or any other person working with, treating or assisting a registrant, persons employed and/or contracted by or engaged in activities with Skate Canada, including directors, officers, employees, contractors, and event volunteers of Skate Canada New Brunswick and includes, for the purposes of the Policies, a Skate Canada New Brunswick section and spectators.
35. “Parties” – the groups involved with the particular dispute. In the *Alternate Dispute Resolution Policy*, the *General Dispute Reporting and Resolution Policy*, the *Investigation Policy* and the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party
36. “Person in Authority” – Any Individual who holds a position of authority within Skate Canada New-Brunswick including, but not limited to, coaches, support personnel, chaperones, and Directors
37. “Registrant” – pursuant to the Bylaws, includes (i) an individual who is registered by a Club or Skating School with Skate Canada and who is subject to all applicable rules, regulations and policies of Skate Canada but who is not a Member; and (ii) an individual who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Canada and registered directly with Skate Canada but who is not a Member.
38. “Respondent” – The party responding to a complaint or, in the case of an appeal, the body whose decision is being appealed



39. *“Safe Sport”* – a program designed to protect the safety and welfare of all participants through prevention, comprehensive policies and protocols, risk identification and management, education, training, resources and communication.
40. *“Safe Sport division”* – a division internal to Skate Canada
41. *“Section”* – pursuant to the Bylaws, means an organization incorporated or organized in a particular province or territory (and in some cases, a combination thereof) strategically aligned with Skate Canada, that may receive funds from provincial or territorial Governmental Authorities and be subject to applicable sport recognition programs and transfer payment arrangements. Each Section is held to the governance and operating requirements of their respective province and / or territory(ies) and is responsible for skating in their respective jurisdictions
42. *“Sexual Harassment”* – any vexatious comments, acts or conduct targeted against an individual because of sexuality, sexual orientation, gender identity or expression, that is committed, threatened, or attempted, and where the course of comment or conduct is known or ought reasonably to be known to be unwelcome.
43. *“Skater”* –, means a person who is registered at a Skate Canada New Brunswick club or skating school and who is subject to all applicable rules, regulations and policies of Skate Canada New Brunswick/Skate Canada but who is not a member; and (ii) a person who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Canada New Brunswick/Skate Canada and registered directly with Skate Canada New Brunswick/Skate Canada but who is not a member
44. *“Skating school”* – pursuant to the Bylaws, means an organization other than a club that is operating for the general purpose of providing Skate Canada skating programs
45. *“Social media”* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
46. *“Vulnerable Individuals”* – Includes Minors and adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority);
47. *“Vulnerable Sector Check (VSC)”* – A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database
48. *“Worker”* – Any person who performs work for Skate Canada New-Brunswick or a Member including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors.
49. *“Workplace”* – Any place where business or work-related activities are conducted. Workplaces include, but are not limited to, Skate Canada New Brunswick’s office, work-related social functions, work assignments outside Skate Canada New-Brunswick’s office, work-related travel, the training and competition environment, and work-related conferences or training sessions
50. *“Workplace Harassment”* – Vexatious comment or conduct against a Worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace



infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:

- a) Bullying;
 - b) Workplace pranks, vandalism, bullying or hazing;
 - c) Repeated offensive or intimidating phone calls or emails;
 - d) Inappropriate sexual touching, advances, suggestions or requests;
 - e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - f) Psychological abuse;
 - g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - i) Sabotaging someone else's work or performance;
 - j) Gossiping or spreading malicious rumours;
 - k) Intimidating words or conduct (offensive jokes or innuendos); and
 - l) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
51. *“Workplace Violence”* – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- a) Verbal or written threats to attack;
 - b) Sending to or leaving threatening notes or emails;
 - c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
 - d) Wielding a weapon in a Workplace;
 - e) Hitting, pinching or unwanted touching which is not accidental;
 - f) Dangerous or threatening horseplay;
 - g) Physical restraint or confinement;
 - h) Blatant or intentional disregard for the safety or wellbeing of others;
 - i) Blocking normal movement or physical interference, with or without the use of equipment;
 - j) Sexual violence; and
 - k) Any attempt to engage in the type of conduct outlined above.