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SOFTBALL NEW BRUNSWICK SAFE SPORT POLICY MANUAL

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POLICY REVIEW

POLICY TITLE	DATE OF LAST REVIEW
ABUSE POLICY	February 1, 2025
ATHLETE PROTECTION POLICY	February 1, 2025
CODE OF CONDUCT AND ETHICS	February 1, 2025
DISCIPLINE AND COMPLAINTS POLICY	February 1, 2025
DISPUTE RESOLUTION POLICY	February 1, 2025
ELECTRONIC COMMUNICATION AND SOCIAL MEDIA POLICY	April 8, 2025
EVENT DISCIPLINE POLICY	February 1, 2025
IMPAIRMENT AND ACCOMMODATION POLICY	February 1, 2025
INCLUSION POLICY	February 1, 2025
INVESTIGATIONS POLICY	February 1, 2025
SAFE SPORT POLICY	February 1, 2025
SCREENING POLICY	February 1, 2025
WHISTLEBLOWER POLICY	February 1, 2025

STATEMENT ON SAFE SPORT

Softball NB (Softball NB) has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every individual that is involved in our softball community.

Softball NB takes any situation involving misconduct or maltreatment very seriously. For this reason, Softball NB is committed to enacting and enforcing strong, clear and effective policies and processes for preventing and addressing all forms of misconduct or maltreatment.

The policies are intended to promote a Safe Sport environment in a manner that allows for consistent, immediate, appropriate and meaningful action should any issues arise. The policies are also intended to prevent issues from arising in the first place by communicating expected standards of behaviour

Should any individuals involved with Softball NB, including but not limited to athletes, coaches, officials, volunteers and parents/guardians of athletes, wish to report any instance of misconduct or maltreatment, they may do so directly to Softball NB, which will then determine the appropriate forum and manner to address the complaint.

Softball NBalso recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). Although only federally-funded sport organizations are *required* to integrate the UCCMS into their policies, Softball NB. recognizes the benefits of aligning its policies with the National standard.

DEFINITIONS - CONDUCT

The terms defined below apply to all policies included in this Safe Sport Manual

* Indicates a definition adapted from the UCCMS

1. ***Abuse*** - Includes Psychological Maltreatment, Physical Maltreatment, Neglect and/or Grooming of Vulnerable Participants by Persons in Authority and which can have the following warning signs:
    a. Recurrent unexplained injuries
    b. Alert behaviour, child seems to always be expecting something had to happen
    c. Often wears clothing that covers up their skin, even in warm weather
    d. Child startles easily, shies away from touch or shows other skittish behaviour
    e. Constantly seems fearful or anxious about doing something wrong
    f. Withdrawn from peers and adults
    g. Behaviour fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
    h. Acting either inappropriately beyond their age (like and adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
    i. Acting out in an inappropriate sexual way with toys or objects
    j. New adult words for body parts and no obvious source
    k. Self-harm (e.g. cutting, burning or other harmful activities)
    l. Not wanting to be alone with a particular child or young person
2. ****Consent*** - *Consent* is defined in Canada's *Criminal Code* as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful is the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent. Sexual activity is only legal when both parties consent. The *Criminal Code* also says there is no consent when: someone says or does something that shows they are not consenting to an activity; someone says or does something to show they are not agreeing to continue and activity that has already started; someone is incapable of consenting to the activity, because for example, they are unconscious; the consent is a result of someone abusing a position of trust, power or authority or someone consents on someone else's behalf. A person cannot say they mistakenly believed a person was consenting if: that belief is based on their own intoxication; they were reckless about whether the person was consenting; they chose to ignore things that would tell them there was a lack of consent; or they didn't take proper steps to check is there was consent. Sexual activity with a Minor is a criminal offense as is sexual activity with a person under the age of 18 years when the other person is in a position of trust or authority.
3. ****Disclosure*** - The sharing of information by a Participant regarding an incident or a pattern of Maltreatment experienced by that Participant. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment.
4. ***Discrimination*** - Differential treatment of an individual based on one or more prohibited grounds which include, race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics or disability.

5. ***Duty to Report***
    a. **Concerns Under Child Protection Legislation:** A legal duty to report is mandated by law, and the requirement varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and young have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the "duty to report." Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local child welfare services (e.g., ministries or departments, or local police.
    b. **Concerns Outside of Child Protection Legislation:** Participants have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted.
6. ***Grooming*** - Deliberate conduct by a Participant to sexualize a relationship with a Minor that involved the gradual blurring of boundaries and normalization of inappropriate and sexually abusive behaviour. During the grooming process, the Participant will gain the trust of the Minor and protective adults and peers around the Minor often under the guise of an existing relationship. Manipulation tactics are then used to blur perceptions and gain further access to and private time with the Minor in order to abuse or exploit the Minor. Grooming can occur whether or not harm is intended or results from the behaviour. (Grooming is also a prohibited behaviour listed under the definition of Maltreatment).
7. ***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. Types of behaviour that constitute Harassment include, but are not limited to:
    a. Written or verbal abuse, threats or outbursts;
    b. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
    c. Persistent unwelcome attempts to recruit an individual(s) that is registered with another team
    d. 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
    e. Leering or other suggestive or obscene gestures
    f. Condescending or patronizing behavior which is intended to undermine self-esteem, diminish performance or adversely affect working conditions.
    g. Practical jokes which endanger a person's safety, or may negatively affect performance
    h. 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;

i. Unwanted physical contact including, but not limited to, touching, petting, pinching or kissing
j. Deliberating excluding or socially isolating a person from a group or team;
k. Persistent sexual flirtations, advances, requests, or invitations;
l. Physical or sexual assault;
m. Contributing to a *poisoned sport environment*, which can include:
    i. Locations where material that is discriminatory is displayed (e.g. sexually explicit posters and racial/racist cartoons)
    ii. Groups where harassing behaviour is part of the normal course of activities
    iii. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
n. 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
o. Retaliation or threats of retaliation against a person who reports harassment to Softball NB

8. ****Maltreatment*** – Includes Maltreatment related to:
    a. *Psychological Maltreatment* – which includes, without limitation, verbal acts, non-assaultive physical acts and acts that deny attention or support
        i. Verbal Acts - Verbally assaulting or attacking someone, including but not limited to: unwarranted personal criticisms; body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about someone to diminish that person's reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
        ii. Non-assaultive Physical Acts (no physical contact) - Physically aggressive behaviours, including but not limited to: throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others
        iii. Acts that Deny Attention or Support - Acts of commission that deny attention, lack of support or isolation including but not limited to: ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same
    b. *Physical Maltreatment* – includes, without limitation, contact or non-contact behaviours that have the potential to cause physical harm
        i. Contact behaviours - Including but not limited to: deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with objects
        ii. Non-contact behaviours - Including but not limited to: isolating a person in a confined space; forcing a person to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of

exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to a Participant under the legal drinking age; providing illegal drugs or non-prescribed medications to a Participant; encouraging or knowingly permitting an Athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready

c. *Sexual Maltreatment* – includes, without limitation, any act targeting a person's sexuality, gender identity or expression, that is committed, threatened or attempted against a person, and includes but is not limited to the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples include:
    i. Any penetration of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
        1. Vaginal penetration by a penis, object, tongue, or finger; and
        2. Anal penetration by a penis, object, tongue, or finger
    ii. Any intentional touching of a sexual nature of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
        1. Kissing;
        2. Intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
        3. Any contact, no matter how slight, between the mouth of one person and the genitalia of another person, and
        4. Making another touch themselves, the Participant, or someone else with or on any of the body parts listed in b).
        5. Any intentional touching in a sexualized manner of the relationship, context or situation
    iii. In addition to the criminal acts identified above, the UCCMS prohibits sexual relations between an Athlete above the age of majority (depending upon jurisdiction) and a Participant who holds a position of trust and authority on the basis that there can be no Consent where there is a Power Imbalance. A Power Imbalance that is presumed to exist may be challenged

d. *Neglect* – or acts of omission, includes without limitation: not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an individual's physical or intellectual disability; not considering supervision of an Athlete during travel, training or competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods (e.g., weigh-ins, caliper tests); disregarding the use of performance-enhancing drugs by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport's rules, regulations, and standards, subjecting Participants to the risk of Maltreatment

e. *Grooming* – is often a slow, gradual and escalating process of building trust and comfort with a young person. Grooming includes, without limitation, the process of making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult Participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel, and providing gifts. The Grooming process:
   i. Grooming usually begins with subtle behaviours that do not appear to be inappropriate. Many victims/survivors of sexual abuse do not recognize the grooming process as it is happening, nor do they recognize that this process of manipulation is part of the overall abuse process.
   ii. In the grooming process, the offender begins by gaining trust of adults around the young person. The offender establishes a friendship and gains the young person's trust. Grooming then involves testing boundaries (e.g. telling sexual jokes, showing sexually explicit images, making sexual remarks). Typically, behaviour moves from non-sexual touching to "accidental" sexual touching
   iii. The young person is often manipulated into feeling responsible for the contact, is discouraged from telling anyone else about the relationship, and is made to feel obligated to protect the offender. The offender also builds trust with those close to the young person so that the relationship with the young person is not questioned

f. *Interference with or Manipulation of Process* – it is considered maltreatment if an adult Participant directly or indirectly interferes with a process by:
   i. Falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
   ii. Destroying or concealing information;
   iii. Attempting to discourage an individual's proper participation in or use of the processes of Softball NB;
   iv. Harassing or intimidating (verbally or physically) any person involved in the processes before, during, and/or following any proceedings of Softball NB;
   v. Publicly disclosing a Participant's identifying information, without the Participant's agreement;
   vi. Failing to comply with any temporary or provisional measure or other final sanction;
   vii. Distributing or otherwise publicizing materials a Participant gains access to during an investigation or hearing, except as required by law or as expressly permitted; or
   viii. Influencing or attempting to influence another person to interfere with or manipulate the process
   ix. Retaliation – which means that a Participant shall not take an adverse action against any person for making a good faith Report of possible Maltreatment or for participating in any process related to alleged conduct violations. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the

processes of Softball NB Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a Report of possible Maltreatment

x. Aiding and Abetting – which is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a Participant. Aiding and Abetting also includes, without limitation, knowingly:
    1. Allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Participants;
    2. Providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
    3. Allowing any person to violate the terms of their suspension or any other sanctions imposed

g. *Reporting* – it is considered Maltreatment to fail to report Maltreatment of a Minor. A legal Duty to Report is mandated by law, and the requirement varies by province depending on provincial legislation.
    i. Failure to Report Maltreatment of a Minor
        1. The obligation to Report requires the Reporting of any conduct which, if proven true, would constitute Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect involving a Minor Participant. The obligation to Report is an ongoing one and is not satisfied simply by making an initial Report. The obligation includes Reporting, on a timely basis, all relevant information of which an adult Participant becomes aware
        2. The obligation to Report includes making a direct Report
        3. The obligation to Report includes personally identifying information of a potential Minor Complainant to the extent known at the time of the Report, as well as a duty to reasonably supplement the Report as to identifying information learned at a later time
        4. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect. Participants making a good faith Report are not required to prove the Reports are true before Reporting
    ii. Failure to Report Inappropriate Conduct
        1. Not all inappropriate conduct may meet the threshold for constituting Maltreatment. However, such inappropriate conduct may represent behaviour with the risk of escalating to Maltreatment. Any Participant who suspects or becomes aware of another Participant's inappropriate conduct, even if it is not defined as Maltreatment, has a Duty to Report such inappropriate conduct through the organization's internal procedures. Those in positions of trust and authority who become aware of another's inappropriate conduct have a responsibility for reporting the

concern within their organization's policies and procedures. The person making the report does not need to determine whether a violation took place: instead, the responsibility lies in reporting the objective behaviour.

iii. Intentionally Filing a False Allegation

1. An allegation is false if the events Reported did not occur, and the person making the Report knows the events did not occur
2. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable bad faith, an unsubstantiated allegation alone is not grounds for a violation

9. ****Neglect*** – Any pattern or a single serious incident of lack of reasonable care, inattention to a Participant's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Participant's needs and requirements, not whether harm is intended or results from the behaviour. (Neglect is also a prohibited behaviour listed under the definition of Maltreatment)
10. ***Physical Maltreatment*** – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of the Participant. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Physical Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
11. ***Power Imbalance*** – A Power Imbalance may exist where, based on the totality of the circumstances, a Participant has supervisory, evaluative, a duty of care, or other authority over another Participant. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age, and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).
12. ***Psychological Maltreatment*** – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of the Participant. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Psychological Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
13. ***Sexual Maltreatment***
    a. **Involving a Child:** Any form of adult/child sexualized interaction constitutes child sexual abuse. Sexual abuse of a child may occur through behaviours that do or do not involve

actual physical contact. (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)

b. **Involving a person over the Age of Majority:** Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Participant without the Participant's Consent. It includes any act targeting a Participant's sexuality, gender identity or expression, that is committed, threatened or attempted against a Participant without that Participant's Consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and Non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Sexual Maltreatment can take place through any form or means of communication (e.g. online, social media, verbal, written, visual, hazing, or through a third party). (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)

14. ***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 ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.
15. ***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 assault; and
k. Any attempt to engage in the type of conduct outlined above

DEFINITIONS - POLICY

The terms defined below apply to all policies included in this Safe Sport Manual

* Indicates a definition adapted from the UCCMS

1. ***Affected Party*** – Any individual or entity, as determined by the Appeal 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
2. ***Appellant*** – The Party appealing a decision
3. ***Appeal Manager*** – An individual, who may be any staff member, committee member, volunteer, Director, or an independent third party, who is appointed to oversee the Appeal Policy. The Appeal Manager will have responsibilities that include using decision making authority empowered by the Appeal Policy
4. ****Athlete*** – An individual who is an Athlete Participant in Softball NB who is subject to the UCCMS and the policies of Softball NB
5. ***Board*** – The Board of Directors of Softball NB
6. ***Case Manager*** – An independent individual (or individuals) appointed by Softball NB to receive and administer complaints under the Discipline and Complaints Policy
7. ***Committee Member*** – an individual elected or appointed to a committee of Softball NB
8. ****Complainant*** – A Participant or observer who makes a report of an incident, or a suspected incident, of Maltreatment or other behaviour that is a violation of the standards described in the Code of Conduct and Ethics
9. ***Days*** – Days including weekends and holidays
10. ***Director*** – An individual appointed or elected to the Board of Directors of Softball NB
11. ***Internal Discipline Chair*** – an individual appointed to handle the duties of the Internal Discipline Chair as described in the Discipline and Complaints Policy.
12. ***Event*** – An event sanctioned by Softball NB
13. ****Minor*** – Any Participant who is under the age of 19 years old at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of a Minor.
14. ****Participants*** – Refers to all categories of individual members and/or registrants defined in the By-laws who are subject to the policies of Softball NB, as well as all people employed by, contracted by, or engaged in activities with, Softball NB including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers
15. ***Parties*** – the groups involved with a dispute. In 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
16. ***Person in Authority*** – Any Participant who holds a position of authority within Softball NB including, but not limited to, employees, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers
17. ****Reporting (or Report)*** – The provision of information in writing by any person or a Participant to a relevant independent authority (the independent person or position, such as a Case Manager,

charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either: (i) the Complainant (of any age) or the one who experienced the Maltreatment, or (ii) a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent.

18. ***Respondent –** The Participant responding to a complaint or, in the case of an appeal, the body whose decision is being appealed.
19. ***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, WhatsApp, and Twitter.
20. ***Vulnerable Participants*** – Includes Minors and vulnerable 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);
21. ***Worker*** – Any person who performs work for Softball NB including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors.
22. ***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
23. ***Unethical Recruitment*** – Behaviour that constitutes as unethical recruitment is defined within the Code of Conduct and Ethics

ABUSE POLICY

Purpose

1. Softball NB is committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Participants about abuse, outlining how Softball NB will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by Softball NB

Zero Tolerance Statement

2. Softball NB has zero tolerance for any type of abuse. Participants are required to report instances of abuse or suspected abuse to Softball NB to be immediately addressed under the terms of the applicable policy.

Education – What is Abuse

3. Vulnerable Participants can be abused in different forms.
4. The following description of Child / Youth Abuse has been modified and adapted from Ecclesiastical's Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults:

Child / Youth Abuse

5. "Child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they depend on or trust. There are many different forms of abuse and a child may be subjected to more than one form:
    a. **Physical abuse** involves single or repeated instances of deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.
    b. **Sexual abuse** and exploitation involve using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
    c. **Neglect** is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care, or protection from harm.
    d. **Emotional abuse** involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes exposing the child to violence.
6. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The

abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

7. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.
    a. **Emotional Maltreatment** – A coach's failure to provide a developmentally-appropriate and supportive environment. Emotional abuse is at the foundation of all other forms of maltreatment (sexual, physical and neglect). In sports, this conduct has the potential to cause emotional or psychological harm to an athlete when it is persistent, pervasive or patterned acts (i.e., yelling at an athlete once does not constitute maltreatment). Examples of emotional maltreatment include:
        i. Refusal to recognize an athlete's worth or the legitimacy of an athlete's needs (including complaints of injury/pain, thirst or feeling unwell)
        ii. Creating a culture of fear, or threatening, bullying or frightening an athlete
        iii. Frequent name-calling or sarcasm that continually "beats down" an athlete's self-esteem
        iv. Embarrassing or humiliating an athlete in front of peers
        v. Excluding or isolating an athlete from the group
        vi. Withholding attention
        vii. Encouraging an athlete to engage in destructive and antisocial behaviour, reinforcing deviance, or impairing an athlete's ability to behave in socially appropriate ways
        viii. Over-pressuring; whereby the coach imposes extreme pressure upon the athlete to behave and achieve in ways that are far beyond the athlete's capabilities
        ix. Verbally attacking an athlete personally (e.g., belittling them or calling them worthless, lazy, useless, fat or disgusting).
        x. Routinely or arbitrarily excluding athletes from practice
        xi. Using conditioning as punishment
        xii. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
        xiii. Body shaming – making disrespectful, hurtful or embarrassing comments about an athlete's physique
    b. **Neglect** - acts of omission (i.e., the coach should act to protect the health/well-being of an athlete but does not). Examples of neglect include:
        i. Isolating an athlete in a confined space or stranded on equipment, with no supervision, for an extended period
        ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
        iii. Ignoring an injury
        iv. Knowing about sexual abuse of an athlete but failing to report it
    c. **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sports involve strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend

to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:

i. Punching, beating, biting, striking, choking or slapping an athlete
ii. Intentionally hitting an athlete with objects or sporting equipment
iii. Providing alcohol to an athlete under the legal drinking age
iv. Providing illegal drugs or non-prescribed medications to any athlete
v. Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
vi. Prescribed dieting or other weight-control methods without regard for the nutritional well-being and health of an athlete
vii. Forcing an athlete to assume a painful stance or position for no athletic purpose, or excessive repetition of a skill to the point of injury
viii. Using excessive exercise as punishment (e.g., stretching to the point of causing the athlete to cry, endurance conditioning until the athlete vomits)

8. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.
9. Potential warning signs of abuse of children or youth can include:
    a. Recurrent unexplained injuries
    b. Alert behaviour; child seems to always be expecting something bad to happen
    c. Often wears clothing that covers up their skin, even in warm weather
    d. Child startles easily, shies away from touch or shows other skittish behaviour
    e. Constantly seems fearful or anxious about doing something wrong
    f. Withdrawn from peers and adults
    g. Behaviour fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
    h. Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
    i. Acting out in an inappropriate sexual way with toys or objects
    j. New adult words for body parts and no obvious source
    k. Self-harm (e.g., cutting, burning or other harmful activities)
    l. Not wanting to be alone with a particular child or young person

Vulnerable Adult Abuse

10. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual's situation, disability, or circumstance.
11. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time:
    a. Psychological abuse includes attempts to dehumanize or intimidate vulnerable adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and

threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example

i. Threatening to use violence
ii. Threatening to abandon them
iii. Intentionally frightening them
iv. Making them fear that they will not receive the food or care they need
v. Lying to them
vi. Failing to check allegations of abuse against them

b. **Financial abuse** encompasses financial manipulation or exploitation, including theft, fraud, forgery, or extortion. It includes using a vulnerable adult's money or property in a dishonest manner or failing to use a vulnerable adult's assets for their welfare. Abuse occurs any time someone acts without consent in a way that financially or personally benefits one person at the expense of another. This type of abuse against a vulnerable adult may include, for example:

i. Stealing their money, disability cheques, or other possessions
ii. Wrongfully using a Power of Attorney
iii. Failing to pay back borrowed money when asked

c. **Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:

i. Beating
ii. Burning or scalding
iii. Pushing or shoving
iv. Hitting or slapping
v. Rough handling
vi. Tripping
vii. Spitting

d. All forms of sexual abuse are also applicable to vulnerable adults

12. Potential warning signs of abuse of vulnerable adults can include:
    a. Depression, fear, anxiety, passivity
    b. Unexplained physical injuries
    c. Dehydration, malnutrition, or lack of food
    d. Poor hygiene, rashes, pressure sores
    e. Over-sedation

Preventing Abuse

13. Softball NB will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.
14. Persons in Authority who coach, volunteer, officiate, deliver developmental programs, or who accompany a team to an event or competition, who are paid staff, or otherwise engage with Vulnerable Participants who fall under Softball NB's authority shall be screened according to the organization's Screening Policy.
15. Softball NB will use the Screening Policy to determine the level of trust, authority, and access that each Person in Authority has with Vulnerable Participants. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:

a. Completing an Application Form for the position sought (which includes alerting Person in Authority that they must agree to adhere with the organization's policies and procedures (including this Abuse Policy))
b. Completing a Screening Declaration Form
c. Providing letters of reference
d. Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
e. Providing a driver's abstract (for Persons in Authority who transport Vulnerable Participants)
f. Other screening procedures, as required

16. A Person in Authority's failure to participate in the screening process or pass the screening requirements as determined by a Screening Committee, will result in the Person in Authority's ineligibility for the position sought.

Orientation and Training

17. Softball NB will deliver orientation and training to those Persons in Authority who have access to, or interact with, Vulnerable Participants. The orientation and training, and their frequency, will be based on the level of risk, as described in the Screening Policy.
18. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or periods of engagement.
19. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
20. At the conclusion of the orientation and training, Softball NB will maintain a record that the Person in Authority has received and completed the training.

Practice

21. When Persons in Authority interact with Vulnerable Participants, they are required to enact certain practical approaches to these interactions. These include, but are not limited to:
    a. Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
    b. Ensuring that Vulnerable Participants are always supervised by more than one Person in Authority
    c. Ensuring that more than one person is responsible for team selection (thereby limiting the consolidation of power onto one Person in Authority)
    d. Ensuring that all electronic communication with Vulnerable Participants is open and observable
    e. Ensuring that parents/guardians are aware that some non-personal communication between Persons in Authority and Vulnerable Participants (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Participants (e.g., teenagers). Persons in Authority are aware that such communication is subject to Softball NB's Code of Conduct and Ethics and Social Media Policy.

f. When traveling with Vulnerable Participants, the Person in Authority will not transport Vulnerable Participants without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

Monitoring

22. Softball NB will regularly monitor those Persons in Authority who have access to, or interact with, Vulnerable Participants. The monitoring will be based on the level of risk, as described in the Screening Policy.
23. Monitoring may include, but is not limited to: regular status reports, logs, supervisor meetings, supervisor on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

Reporting Abuse

24. Reports of abuse that are shared confidentially with a Person in Authority by a Vulnerable Participant may require the Person in Authority to report the incident to parents/guardians, Softball NB or the police. Persons in Authority must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Participant's parent/guardian. Complaints or reports that describe an element of abuse will be addressed by the process(es) described in Softball NB's *Discipline and Complaints Policy and the Investigations Policy.*

ATHLETE PROTECTION POLICY

Purpose

1. This Policy describes how Persons in Authority can maintain a safe sport environment for Athletes.

Interactions between Persons in Authority and Athletes

2. For interactions between Persons in Authority and Athletes, Softball NB strongly recommends the 'Rule of Two' for all Persons in Authority who interact with athletes. The 'Rule of Two' is a directive that says that an athlete must never be alone one-on-one with an unrelated Person in Authority.
3. Softball NB recognizes that fully implementing the 'Rule of Two' in all circumstances may not be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
    a. Transparent
        i. Encourage parents to appropriately support their children's involvement
        ii. Allow the training environment to be open to observation by parents. Ensure an open and observable environment for all interactions between Persons in Authority and athletes. This could include leaving the door open when having a meeting, moving away from others in a public space but staying within eyesight.
        iii. Avoid private or one-on-one situations unless they are open and observable by another adult or athlete.
    b. Authorized
        i. Limit any situation when a Person in Authority is alone with an athlete
        ii. Ensure Persons in Authority do not invite or have an athlete(s) in the home without the written permission of the athlete's parent or guardian
        iii. Ensure athletes do not find themselves in a situation where they are alone with a Person in Authority without another screened adult or athlete present unless prior written permission is obtained from the athlete's parent or guardian
        iv. When only one athlete and Person in Authority travel to a competition, at the competition the Person in Authority and athlete should attempt to establish a "buddy" club to associate with during the competition and away from the venue
    c. Accountable
        i. If a situation arises where an interaction that breaks the spirit of the 'Rule of Two' arises, Persons in Authority should make themselves accountable by reporting it to a staff or volunteer supervisor

Practices and Competitions

4. Softball NB strongly recommends:
    a. Teams or groups of athletes will always have at least two Persons in Authority with them
    b. For mixed gender teams or groups of athletes, there will be one Person in Authority from each gender identity
    c. Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present

d. A Person in Authority should never be alone with an athlete prior to or following a competition or practice, unless the Person in Authority is the athlete's parent or guardian. If the athlete is the first athlete to arrive, the athlete's parent should remain until another athlete or Person in Authority arrives. Similarly, if an athlete would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another athlete) to stay until all the athletes have been picked up. If an adult is not available, then another athlete should be present in order to avoid the Person in Authority being alone with a single athlete
e. Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual athlete should always be doing so within earshot and eyesight of another Person in Authority

Communications

5. Softball NB will strongly recommend the following communication guidelines for all Persons in Authority who interact with athletes:
    a. Persons in Authority may only send personal texts, direct messages on social media or emails to individual athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone
    b. Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such communication occurs, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian (when the Athlete is a Vulnerable Participant)
    c. Parents and guardians have the right to request that their child not be contacted by Persons in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications
    d. All communication between Persons in Authority and athletes must be between the hours of 6:00 am and midnight unless extenuating circumstances exist
    e. No communication concerning drugs or alcohol use (unless regarding its prohibition) is permitted
    f. No sexually explicit language or imagery or sexually oriented conversation is permitted
    g. Persons in Authority are not permitted to ask athletes to keep a secret for them
    h. A Person in Authority should not become overly-involved in an athlete's personal life

Travel

6. Softball NB will strongly recommend the following travel guidelines for all Persons in Authority who travel with athletes:
    a. No Person in Authority may drive an athlete alone unless the Person in Authority is the athlete's parent or guardian
    b. A Person in Authority may not share a room or be alone in a hotel room with an athlete unless the Person in Authority is the athlete's parent or guardian
    c. Room or bed checks during overnight stays must be done by two Persons in Authority

d. For overnight travel when athletes must share a hotel room, roommates will be age-appropriate (e.g., within 2 years of age) and of the same gender identity

Locker Room / Changing Areas

7. Softball NB will strongly recommend the following guidelines for the locker room, changing area, and meeting rooms:
    a. Interactions (i.e., conversation) between Persons in Authority and athletes should not occur in any room where there is a reasonable expectation of privacy such as the locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and an athlete in any such room (e.g., adhering to the Rule of Two).
    b. If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, including but not limited to team communications and/or emergency

Photography / Video

8. Softball NB will strongly recommend the following photography / video guidelines and the use of an Image Consent Form
    a. Parents/guardians should sign an image release form (i.e., as part of the registration process) that describes how an athlete's image may be used by Softball NB
    b. Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the athlete.
    c. The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
    d. Examples of photos that should be edited or deleted include:
        i. Images with misplaced apparel or where undergarments are showing
        ii. Suggestive or provocative poses
        iii. Embarrassing images

Physical Contact

9. Softball NB understands that some physical contact between Persons in Authority and athletes may be necessary for various reasons including, but not limited to, teaching a skill or tending to an injury. Softball NB will strongly recommend the following touch guidelines:
    a. Unless it is not possible because of serious injury or other circumstance, a Person in Authority should always clarify with an athlete where and why any touch will occur. The Person in Authority must make clear that he or she is requesting to touch the athlete and not requiring the physical contact
    b. Infrequent, non-intentional physical contact, particularly contact that arises out of an error or a misjudgment on the part of the athlete during a training session, is permitted
    c. Making amends, such as an apology or explanation, is encouraged to further help educate athletes on the difference between appropriate and inappropriate contact
    d. Hugs lasting longer than 5 seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. Softball NB is aware that some

athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the athlete.

CODE OF CONDUCT AND ETHICS

* Indicates a section adapted from the UCCMS

Purpose

1. The purpose of this Code is to ensure a safe and positive environment (within Softball NB's programs, activities, and events) by making Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with Softball NB's core values. Softball NB supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

Application of this Code

2. This Code applies to Participants' conduct during Softball NB's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Softball NB's activities, Softball NB's office environment, and any meetings.
3. A Participant who violates this Code may be subject to sanctions pursuant to Softball NB's Discipline and Complaints Policy. In addition to facing possible sanction pursuant to Softball NB's Discipline and Complaints Policy, a Participant who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Participant complies with the ejection, and the Participant may be subject to any additional discipline associated with the competition.
4. *This Code applies to Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Participant was active in the sport.
5. An employee of Softball NB found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any event of Softball NB, will be subject to appropriate disciplinary action subject to the terms of any of Softball NB's relevant and applicable policies as well as the employee's Employment Agreement (if applicable).
6. This Code also applies to Participants' conduct outside of Softball NB 's business, activities, and events when such conduct adversely affects relationships within Softball NB (and its work and sport environment) and is detrimental to the image and reputation of Softball NB Such applicability will be determined by Softball NB at its sole discretion.

Persons in Authority and Maltreatment

7. *When they are a Person in Authority, Participants are responsible for knowing what constitutes Maltreatment. The categories of Maltreatment are not mutually exclusive, nor are the examples provided in each category an exhaustive list. Rather, what matters for the assessment of the Maltreatment is whether the conduct falls into one or more of the categories, not into which category it falls. Abuse, assault, Harassment, bullying, and hazing can be experienced in more than one category of Maltreatment.
8. *Maltreatment can be any of the prohibited behaviours and conduct, provided the Maltreatment occurs in any one or a combination of the following situations (The physical location(s) where the alleged Maltreatment occurred is not determinative):
    a. Within a sport environment;

b. When the Participant alleged to have committed Maltreatment was engaging in sport activities;
c. When the Participants involved interacted due to their mutual involvement in sport; or
d. Outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Participant.

9. *It is a violation of the Code for sport administrators or other Persons in Authority to place Participants in situations that make them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and coach to share a hotel room when traveling, hiring a coach who has a past history of Maltreatment, assigning guides and other support staff to a para-Athlete when the guide or support staff has a reputation for Maltreatment or assigning such a guide or support staff to a para-Athlete in the absence of consultation with the para-Athlete.

Responsibilities

10. Participants have a responsibility to:
    a. Maintain and enhance the dignity and self-esteem of Softball NB's members and other individuals by:
        i. Treating each other with the highest standards of respect and integrity;
        ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or members;
        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;
        v. Consistently treating individuals fairly and reasonably; and
        vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
    b. *Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Maltreatment, Workplace Violence, or Discrimination
    c. Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, Softball NB adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Softball NB's Discipline and Complaints Policy. Softball NB will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Softball NB or any other sport organization
    d. Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
    e. Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
    f. Refrain from consuming tobacco products, or recreational drugs while participating in Softball NB's programs, activities, competitions, or at event venues

g. In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or event;
h. In the case of adults, not consume cannabis in the Workplace or in any situation associated with Softball NB's events (subject to any requirements for accommodation), not consume alcohol during games and in situations where Minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with Softball NB's events
i. Respect the property of others and not wilfully cause damage
j. Promote the sport in the most constructive and positive manner possible
k. When driving a vehicle:
    i. Not have his or her license suspended;
    ii. Not be under the influence of alcohol, cannabis, other substances or illegal drugs; and
    iii. Have valid car insurance
l. Adhere to all federal, provincial, municipal and host country laws
m. Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
n. Refrain from any behaviour that constitutes unethical recruitment practices. Types of activities that constitutes unethical recruitment practices include but are not limited to the following:
    i. Attempting to convince a player to leave their current team or organization by continuing to contact that player despite having received 2 negative responses within the calendar year to the recruitment attempt. Recruitment includes any attempts by any 'individual' as defined within this policy.
    ii. Attempting to recruit a player at the field of play while that player is playing or practicing for another team on or off the field;
    iii. Attempting to recruit a player while that player is attending an event, tournament or camp with another team, whether at the field, hotel or other area. This restriction runs from the time when they leave their home until they return home;
    iv. Make promises to a player regarding playing time if the player should agree to play for the team the recruiter is representing;
    v. Offer financial incentives to a player or the player's parents if the player plays for the team the recruiter is representing:
    vi. Accepting financial incentives from a player and/or parent/guardian in exchange of the player coming to play with the team the recruiter is representing.
    vii. Indicate to the player that they will put themselves in a better position to make a more elite team, Provincial Team, National Team, or to be recruited by a university in Canada or Internationally, if they play for the team the recruiter represents.
o. Comply, at all times, with Softball NB's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time

Directors, Committee Members, and Staff

11. In addition to section 10 (above), Softball NB's Directors, Committee Members, and Staff will have additional responsibilities to:
    a. Function primarily as a Director or Committee Member or Staff Member of Softball NB; not as a member of any other member or constituency
    b. Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Softball NB's business and the maintenance of Participants' confidence
    c. Ensure that Softball NB's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
    d. Conduct themselves transparently, professionally, lawfully and in good faith in the best interests of Softball NB
    e. Be independent, impartial, and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
    f. Behave with decorum appropriate to both circumstance and position
    g. Keep informed about Softball NB's activities, the sport community, and general trends in the sectors in which it operates
    h. Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Softball NB is incorporated
    i. Respect the confidentiality appropriate to issues of a sensitive nature
    j. Respect the decisions of the majority and resign if unable to do so
    k. Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
    l. Have a thorough knowledge and understanding of all of Softball NB's governing documents
    m. Conform to the bylaws and policies approved by Softball NB

Coaches

12. In addition to section 10 (above), coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
    a. *Avoid any behaviour that abuses the Power Imbalance inherent in the coaching position to (i) establish or maintain a sexual relationship with an Athlete that he or she is coaching, or (ii) encourage inappropriate physical or emotional intimacy with an Athlete, regardless of the Athlete's age
    b. Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
    c. Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
    d. Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments

e. Support the coaching staff of a training camp, provincial team, or national team; should an athlete qualify for participation with one of these programs
f. Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
g. Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
h. Act in the best interest of the athlete's development as a whole person
i. Comply with Softball NB's Screening Policy, if applicable
j. Report to Softball NB any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
k. Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol, cannabis, and/or tobacco
l. Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
m. Not engage in a sexual relationship with an athlete under the age of majority;
n. Disclose any sexual or intimate relationship with an athlete over the age of majority to Softball NB and immediately discontinue any coaching involvement with that athlete;
o. Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
p. Dress professionally, neatly, and inoffensively
q. Use inoffensive language, taking into account the audience being addressed

Athletes

13. In addition to section 10 (above), athletes will have additional responsibilities to:
    a. Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;
    b. Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
    c. Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
    d. Adhere to Softball NB's rules and requirements regarding clothing and equipment
    e. Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
    f. Dress to represent the sport and themselves well and with professionalism
    g. Act in accordance with Softball NB's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

14. In addition to section 10 (above), officials will have additional responsibilities to:
    a. Maintain and update their knowledge of the rules and rules changes
    b. Work within the boundaries of their position's description while supporting the work of other officials
    c. Act as an ambassador of Softball NB by agreeing to enforce and abide by national and provincial rules and regulations
    d. Take ownership of actions and decisions made while officiating
    e. Respect the rights, dignity, and worth of all Participants
    f. Not publicly criticize other officials or any club or association
    g. Act openly, impartially, professionally, lawfully, and in good faith
    h. Be fair, equitable, considerate, independent, honest, and impartial at all times
    i. Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Participants
    j. Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor at the earliest possible time
    k. When writing reports, set out the actual facts
    l. Dress in proper attire for officiating

Parents/Guardians and Spectators

15. In addition to section 10 (above), parents/guardians and spectators at events will:
    a. Encourage athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence
    b. Condemn the use of violence in any form
    c. Never ridicule a participant for making a mistake during a performance or practice
    d. Provide positive comments that motivate and encourage participants' continued effort
    e. Respect the decisions and judgments of officials, and encourage athletes to do the same
    f. Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
    g. Respect and show appreciation to all competitors, coaches, officials and other volunteers
    h. Not harass competitors, coaches, officials, parents/guardians, or other spectators

DISCIPLINE AND COMPLAINTS POLICY

* Indicates a section adapted from the UCCMS

Purpose

1. Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Softball NB's policies, By-laws, rules and regulations, and Code of Conduct and Ethics. Non-compliance may result in sanctions pursuant to this Policy.

Principles

2. *The following principles guide the findings and determinations under this Policy:
    a. Any form of Maltreatment violates the integrity of Participants and undermines the values of Canadian sport.
    b. Sanctions imposed will reflect the seriousness of the Maltreatment and the harm to those affected and the values of Canadian sport.

Application of this Policy

3. This Policy applies to all Participants.
4. This Policy applies to matters that may arise during Softball NB's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Softball NB's activities, and any meetings.
5. This Policy also applies to Participants' conduct outside of Softball NB's business, activities, and events when such conduct adversely affects relationships within Softball NB (and its work and sport environment), is detrimental to the image and reputation of Softball NB, or upon the acceptance of Softball NB Applicability or acceptance will be determined by Softball NB at its sole discretion.
6. *This Policy applies to alleged breaches of the Code of Conduct and Ethics by Participants who have retired from the sport where any claim regarding a potential breach of the Code of Conduct and Ethics occurred when the Participant was active in the sport. In addition, this Policy will apply to breaches of the Code of Conduct and Ethics that occurred when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).
7. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
8. An employee of Softball NB who is a Respondent will be subject to appropriate disciplinary action in accordance with any of Softball NB's applicable policies, as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

Alignment

9. Softball NB recognizes that Participants may also be registered with Local Associations or clubs. Softball NB requires that Local Organizations and clubs submit discipline decisions rendered at the local/club level involving Participants to Softball NB
10. See Appendix B Softball NB's Disciplinary Guidelines

Adult Representative

11. Complaints may be brought for or against a Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
12. Communication from the Internal Discipline Chair or Case Manager, as applicable, must be directed to the minor's representative.
13. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

14. Any person may report a complaint to Softball NB or to Softball NB's Case Manager (when identified). If a Case Manager has not been previously identified, Softball NB will appoint a Case Manager and direct that person to receive the complaint.

THE CASE MANAGER IS SOFTBALL NB EXECUTIVE DIRECTOR WHO MAY BE CONTACT AT:
executivedirector@softballnb.ca

15. Softball NB may, in its sole discretion, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Softball NB will identify an individual representative of the organization.

Case Manager Responsibilities

16. Upon receipt of a complaint, the Case Manager has a responsibility to:
    a. Determine the appropriate jurisdiction to manage the complaint and consider the following:
        i. Whether the complaint should be handled by a Local Association, Softball Canada or by Softball NB In making this decision, the Case Manager will consider:
            1. Whether the incident has occurred within the business, activities or events of the Local Association , Softball Canada or Softball NB; and
            2. If the Local Association is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity
        ii. If the Case Manager determines that the complaint or incident should be handled by the appropriate Local Association, that Local Association may use its own policies to resolve the dispute or may adopt this Policy. In such instance, any reference to Case Manager below shall be understood as a reference to the Local Association's Case Manager and references to Softball NB shall be understood to be references to the Local Association

iii. If the Case Manager determines that the complaint or incident should be handled by Softball Canada, the Case Manager will direct the complainant to submit the complaint to Softball Canada pursuant to its policies.

b. Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy and, if so, the complaint will be dismissed immediately and the Case Manager's decision to dismiss the complaint may not be appealed;
c. Propose the use of alternative dispute resolution techniques;
d. Determine if the alleged incident should be investigated pursuant to the Investigations Policy; and/or
e. Choose which process (Process #1 or Process #2) should be followed, and may use the following examples as a general guideline:

Process #1 - the Complaint alleges the following incidents:

A. Disrespectful, abusive, racist, or sexist comments or behaviour
B. Disrespectful conduct
C. Minor incidents of violence (e.g., tripping, pushing, elbowing)
D. Conduct contrary to the values of Softball NB
E. Non-compliance with Softball NB's policies, procedures, rules, or regulations
F. Minor violations of the Code of Conduct and Ethics

Process #2 - the Complaint alleges the following incidents:

A. Repeated minor incidents
B. Any incident of hazing
C. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
D. Major incidents of violence (e.g., fighting, attacking, sucker punching)
E. Pranks, jokes, or other activities that endanger the safety of others
F. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
G. Conduct that intentionally damages Softball NB's image, credibility, or reputation viii.Consistent disregard for Softball NB's bylaws, policies, rules, and regulations
H. Major or repeated violations of the Code of Conduct and Ethics
I. Intentionally damaging Softball NB's property or improperly handling Softball NB's monies
J. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
K. A conviction for any Criminal Code offense
L. Any possession or use of banned performance enhancing drugs or methods

Process #1: Handled by Internal Discipline Chair

Internal Discipline Chair

17. The Internal Discipline Chair will be a Director of the Board, or an individual appointed by the President of Softball NB to handle the duties of the Internal Discipline Chair. Internal Discipline Chair Internal Discipline Chair
18. The Internal Discipline Chair appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

Sanctions

19. Following the determination that the complaint or incident should be handled under Process #1, the Internal Discipline Chair will review the submissions and may:
    a. Recommend mediation;
    b. Make a decision;
    c. Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident; or
    d. Convene the parties to a meeting, either in person or by way of video or teleconference in order to ask the parties questions
20. Thereafter, the Internal Discipline Chair shall determine if a breach occurred and, if so, if one or more sanctions should be applied (see: Sanctions).
21. The Internal Discipline Chair will inform the Parties of the decision, which will take effect immediately.
22. Records of all sanctions will be maintained by Softball NB

Request for Reconsideration

23. The sanction may not be appealed until the completion of a request for reconsideration. However, the Respondent may contest the sanction by submitting a Request for Reconsideration within four (4) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
    a. Why the sanction is inappropriate;
    b. Summary of evidence that the Respondent will provide to support the Respondent's position; and
    c. What penalty or sanction (if any) would be appropriate.
24. Upon receiving a Request for Reconsideration, the Internal Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
25. Should the Internal Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
26. Should the Internal Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

Process #2: Handled by Case Manager and External Discipline Panel

Case Manager

27. Following the determination that the complaint or incident should be handled under Process #2, the Case Manager has a responsibility to:
    a. Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
    b. Propose the use of Softball NB's Dispute Resolution Policy
    c. Appoint the External Discipline Panel, if necessary
    d. Coordinate all administrative aspects and set timelines
    e. Provide administrative assistance and logistical support to the External Discipline Panel as required
    f. Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

28. If the Case Manager determines the complaint is:
    a. Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
    b. Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties that the complaint is accepted and of the applicable next steps
29. The Case Manager's decision to accept or dismiss the complaint may not be appealed.
30. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
31. After notifying the Parties that the complaint has been accepted, the Case Manager may propose using Softball NB's Dispute Resolution Policy with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to use the Dispute Resolution Policy, the Case Manager will appoint an External Discipline Panel, which shall consist of a single Arbitrator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Case Manager, an External Discipline Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the External Discipline Panel's members to serve as the Chair.
32. The Case Manager, in cooperation with the External Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the External Discipline Panel deem appropriate in the circumstances, provided that:
    a. The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
    b. Copies of any written documents which the parties wish to have the External Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
    c. The Parties may engage a representative, advisor, or legal counsel at their own expense
    d. The External Discipline Panel may request that any other individual participate and give evidence at the hearing
    e. The External Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
    f. The decision will be by a majority vote of the External Discipline Panel
33. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the External Discipline Panel will determine the appropriate sanction. The External Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
34. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

35. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
36. In fulfilling its duties, the External Discipline Panel may obtain independent advice.

Decision

37. After hearing and/or reviewing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the External Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Softball NB In extraordinary circumstances, the External Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the External Discipline Panel.

Sanctions

38. *Prior to determining sanctions, the Internal Discipline Chair or External Discipline Panel, as applicable, will consider factors relevant to determining appropriate sanctions which include:
    a. The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
    b. The Respondent's prior history and any pattern of inappropriate behaviour or Maltreatment;
    c. The ages of the individuals involved;
    d. Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
    e. The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the Maltreatment, and/or cooperation in the process of Softball NB;
    f. Real or perceived impact of the incident on the Complainant, sport organization or the sporting community;
    g. Circumstances specific to the Respondent being sanctioned (e.g. lack of appropriate knowledge or training regarding the requirements in the Code of Conduct and Ethics; addiction; disability; illness);
    h. Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
    i. A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
    j. Other mitigating and aggravating circumstances
39. Prior to determining sanctions, the Internal Discipline Chair or External Discipline Panel, as applicable, will consider the On-Field Conduct Disciplinary Guidelines and any mandatory minimum sanctions that are described in those Guidelines.
40. *Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed. A combination of several factors may justify elevated or combined sanctions.
41. *The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:

a. **Verbal or Written Warning** - A verbal reprimand or an official, written notice and formal admonition that a Participant has violated the Code of Conduct and Ethics and that more severe sanctions will result should the Participant be involved in other violations
b. **Education** - The requirement that a Participant undertake specified educational or similar remedial measures to address the violation(s) of the Code of Conduct and Ethics
c. **Probation** - Should any further violations of the Code of Conduct and Ethics occur during the probationary period, will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period of time
d. **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, practice, activity, event, or competition sponsored by, organized by, or under the auspices of Softball NB A suspended Participant is eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Participant satisfying specific conditions noted at the time of suspension
e. **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
f. **Permanent Ineligibility** - Permanent ineligibility to participate, in any sport, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of Softball NB
g. **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate

42. *The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:
    a. Sexual Maltreatment involving a Minor Complainant shall carry a presumptive sanction of permanent ineligibility;
    b. Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
    c. While a Respondent has pending charges or dispositions in violation of the criminal law, the presumptive sanction shall be a period of suspension
43. A Participant's conviction for a Criminal Code offense shall carry a presumptive sanction of permanent ineligibility from participating with Softball NB Criminal Code offences may include, but are not limited to:
    a. Sexual Maltreatment involving a Minor Complainant shall carry a presumptive sanction of permanent ineligibility;
    b. Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
    c. While a Respondent has pending charges or dispositions in violation of the criminal law, the presumptive sanction shall be a period of suspension
44. Unless the External Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the

External Discipline Panel will result in an automatic suspension until such time as compliance occurs.

45. Records of all decisions will be maintained by Softball NB

Appeals

46. The decision of the External Discipline Panel may be appealed in accordance with Softball NB's Appeal Policy.

Suspension Pending a Hearing

47. The Executive Director and President may, after consultation and at their sole discretion, determine that an alleged incident is of such seriousness as to warrant suspension of a Participant pending completion of a criminal process, the hearing, or a decision of the External Discipline Panel. If the complaint is against either the President or Executive Director, such decision shall be made by the External Discipline Panel, upon application by the Complainant.

Confidentiality

48. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the External Discipline Panel, and any independent advisors to the External Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

Timelines

49. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the External Discipline Panel may direct that these timelines be revised.

Records and Distribution of Decisions

50. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.
51. *Softball NB recognizes that a publicly-available searchable database or registry of Respondents who have been sanctioned, or whose eligibility to participate in sport has in some way been restricted, may be maintained and may be subject to provisions in the UCCMS.

DISPUTE RESOLUTION POLICY

Purpose

1. Softball NB supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternative Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. Softball NB encourages all Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Softball NB believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

Application of this Policy

3. This Policy applies to all Participants.
4. Opportunities for Alternative Dispute Resolution may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

5. The Case Manager may request that the parties consider Alternative Dispute Resolution and/or mediation with the objective of resolving the dispute.
6. If all parties to a dispute agree to Alternative Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and shall specify a deadline before which the parties must reach a negotiated decision.
8. Should a negotiated decision be reached, the decision shall be reported to, and approved by Softball NB Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending Softball NB's approval.
9. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to Alternative Dispute Resolution, the dispute shall be considered under the appropriate section of the Discipline and Complaints Policy or Appeal Policy, as applicable.

Final and Binding

10. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

ELECTRONIC COMMUNICATION AND SOCIAL MEDIA POLICY

Preamble

1. Communication occurs through both face-to-face interactions and electronic interactions. Electronic communication can happen in a social medium (such as Facebook, Instagram, and Snapchat) and in a non-social electronic medium (such as texting, virtual meeting platforms and email).
2. Softball NB recognizes that communication between all Participants should be guided by principles that ensure the safety of the Participants and that maintain and strengthen effective relationships.
3. Softball NB further recognizes that minor athletes, who are Vulnerable Participants, prefer in many cases to communicate through electronic interaction. Softball NB. strives to ensure that athletes are protected during electronic interactions with Persons in Authority and that they are not placed in a vulnerable situation.

Definitions

4. Terms in this Policy are defined as follows:
    a. ***Electronic Communication Media*** – Communication media that is primarily for connecting with other users without a content-sharing or social networking purpose. Electronic communication media includes email, texting (SMS), Facebook messenger, video sessions, WhatsApp, virtual meeting platforms, and other similar applications.
    b. ***Interpersonal Communication*** – Communication that occurs between two or more Participants within a communication medium.
    c. ***Participants*** – Refers to all categories of individual members and/or registrants defined in the By-laws of Softball NB as well as all people engaged in activities with, Softball NB including, but not limited to Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, and Directors and Officers. Participants are subject to the policies of Softball NB
    d. ***Person in Authority*** – A Participant who holds a position of authority within Softball NB including, but not limited to, coaches, managers, support personnel, supervisors, and Directors. There is typically a Power Imbalance between Persons in Authority and other Participants.
    e. ***Power Imbalance*** – A Power Imbalance may exist where, based on the totality of the circumstances, a Participant has a duty of care or supervisory, evaluative, or other authority over another Participant. A Power Imbalance may also exist between an athlete and other adults who are Persons in Authority. Maltreatment occurs when this power is misused.
    f. ***Public Communication*** – Communication that is or was posted publicly, such as on a Participant's social media platform.
    g. ***Responsible Coaching Movement*** – A call to action for sport organizations, parents, and coaches to enact responsible coaching across Canada – on and off the field (https://coach.ca/responsible-coaching-movement)
    h. ***Social Media*** – Communication media that permits users to create or generate content, share that content, and network with other users. Social media includes YouTube,

Facebook, Instagram, LinkedIn, Tumblr, TikTok, Snapchat, Twitter, and other similar websites and applications.

i. ***Vulnerable Participants*** – Includes children/youth (minors) and vulnerable 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).

Context

5. The type and nature of Interpersonal Communication depends on the context in which the communication occurs. Interpersonal Communication may change when different stakeholders are involved and, in the sport sector, may depend on the competition stream (e.g., community sport or high-performance sport). For example, expectations surrounding adult-adult communication are different than adult-teen communication (which carries the most risk of maltreatment) and are also different than adult-child communication (which is almost always interceded by parents/guardians).
6. Further, a primary goal of the coach-athlete relationship in the high-performance stream is to create a positive and healthy training and competition environment. Whereas the main goal of the coach-athlete relationship in the community sport stream is often administrative or casual – to ensure the athlete arrives at the competition on time and has fun.

Principles

7. The following principles reflect Softball New Brunswick values and guide this Policy:
    a. Softball NB is committed to the Responsible Coaching Movement and to making sport safer for everyone, particularly Vulnerable Participants.
    b. Conduct and behaviour that occurs in Electronic Communication Media and Social Media – both Public Communication and Interpersonal Communication – is subject to the Code of Conduct and Ethics and Discipline and Complaints Policy.
    c. Persons in Authority must use Electronic Communication and Social Media that are appropriate for the context in which the communication occurs.
    d. Regular communication is an important requirement for nourishing effective and healthy relationships.
    e. An open and observable environment facilitates healthy exchanges among the coach, athlete, and parent/guardian triangle which is necessary for communication with Vulnerable Participants.
8. The table below has been developed to guide Persons in Authority in their interactions with athletes of various ages in two separate coaching contexts – community sport and competition (high performance). The table assesses the vulnerability of the athlete due to their age, the frequency of contact needed with the athlete due to their context, and their risk of maltreatment. The final column of the table determines whether (and how) the Person in Authority should be communicating with their athletes on Electronic Communication ("ECM") and/or Social Media ("SM").
9. In the table below, the 'Community Sport' stream is for Participants who are participating in sport for their personal enjoyment whereas the 'Competition (High Performance)' stream is for Participants who want to develop their competitive abilities. The streams are described further by the Coaching Association of Canada (https://coach.ca/nccp-streams-and-contexts). It is expected

that the contact needed between Persons in Authority and athletes in the Competition stream would be more frequent than in the Community Sport stream because there is more information to convey to further the athlete's development and a closer relationship between athlete and coach would be beneficial. It is also expected that athletes who are 12 years old or younger will have less direct communication with a Person in Authority because their parent/guardian will be more involved in their athletic experience – regardless of stream – which reduces the risk of maltreatment. Maltreatment includes physical, psychological, and sexual maltreatment, as well as other types of misconduct such as neglect, grooming, retaliation, and other behaviours that are described in the Code of Conduct and Ethics.

	Vulnerability Due to Age	**Frequency of Contact Needed**	**Risk of Maltreatment**	**Communicate on ECM or SM?**
AGE OF ATHLETE	**COMMUNITY SPORT STREAM**			
Athletes 12<	High	Low	Low	No – with few exceptions (Level 1)
Athletes 13-18	Moderate	Low – Moderate	High	No – with few exceptions (Level 1)
Athletes 19+	Low	Moderate	Moderate	Yes – with some conditions (Level 3)
AGE OF ATHLETE	**COMPETITION STREAM (HIGH PERFORMANCE)**			
Athletes 12<	High	Moderate	Low - Moderate	No – with few exceptions (Level 1)
Athletes 13-18	Moderate	Moderate - High	High	Yes – with many conditions (Level 2)
Athletes 19+	Low	High	Moderate	Yes – with some conditions (Level 3)

Guidelines

10. The following guidelines have been developed:
    a. Ideal Practices – Ideal (best) practices for Persons in Authority when they communicate with athletes of different ages and in different sport contexts.
    b. Guide for Persons in Authority – Specific tips for Persons in Authority (primarily coaches) to assist them with their communication in Electronic Communication and Social Media.
    c. Guide for Athletes – Specific tips for athletes to assist them with their communication in Electronic Communication and Social Media.
    d. Guide for Parents – Specific tips for parents/guardians to monitor, participate in, and/or be aware of the communication between Persons in Authority and their children.

Method	Athletes 12< (Level 1)	Athletes 13-18 (Level 2)	Athletes 19+ (Level 3)
Email	Email with parents/guardians. There should be no direct communication with athletes.	Email athletes when necessary. Stick to non-personal communication. Alert or copy parents/guardians.	Email athletes when necessary.
Text	Do not text athletes. Block requests.	Text athletes when necessary. Stick to non-personal communication. Alert or copy parents/guardians.	Text athletes when necessary.
Facebook	Do not add athletes on Facebook. Block requests.	Avoid initiating contact. Accept requests if necessary. All communication must be public. Inform parents/guardians.	Avoid initiating contact. Accept requests if necessary. All communication must be public.
Instagram	Do not add athletes on Instagram. Block requests.	Avoid initiating contact. Accept requests if necessary. All communication must be public. Inform parents/guardians.	Avoid initiating contact. Accept requests if necessary. All communication must be public.
X (Twitter)	Do not add athletes on X. Block requests.	Avoid initiating contact. Accept requests if necessary. All communication must be public. Inform parents/guardians.	Avoid initiating contact. Accept requests if necessary. All communication must be public.
Snapchat	Do not add athletes on Snapchat. Block requests.	Do not add athletes on Snapchat. Block requests.	Avoid adding athletes on Snapchat
TikTok	Do not add athletes on TikTok. Block requests.	Do not add athletes on TikTok. Block requests.	Avoid initiating contact. Accept requests if necessary. All communication must be public.
Team Communication Platforms (ex. Game Changer)	Communicate with parents/guardians. There should be no direct communication with athletes.	Message athletes when necessary. Stick to non-personal communication. Alert or copy parents/guardians	Add athletes when necessary.

Conditions and Exceptions

Level 1 - No Communication with few exceptions

- Prohibit any form of direct electronic communication between Persons in Authority and athletes under this level, including text messages, emails, and any form of social media contact.
- Ensure that any necessary communication between Persons in Authority and athletes is conducted through the athletes' parents or guardians.
- Require that all communication be conducted through official channels approved by the organization, such as the team's or organization's official communication platforms, where messages are logged and monitored, email, or text messages where a history can be logged.
- Implement mandatory monitoring and logging of any communication that must occur due to exceptional circumstances.
- Provide clear guidelines and regular training for Persons in Authority on the specific communication standards expected under Level 1, including examples of permissible interactions and procedures for obtaining necessary permissions for exceptions.
- Limit the topics of permissible communication to only essential information directly related to activities, such as schedule changes or safety information, explicitly excluding personal or social content.
- Establish a requirement for pre-approval of any communication with athletes by a designated oversight body within the organization, with a clear process for reviewing and approving exceptions based on predefined criteria.

Level 2 – Communication with Many Conditions

- Communication at this level is the riskiest. Because of the frequency of contact needed with high performance athletes, and recognizing that regular communication promotes more effective relationships, Persons in Authority can communicate with athletes on Electronic Communication Media and Social Media but must take several precautions when they do so. Communication should be open and observable whenever possible. If it is not possible to have open and observable communication on a particular medium, Persons in Authority should maintain a log or record of the communication and make it available to the athlete's parent/guardian whenever requested.
- To communicate non-personal information, Electronic Communication should be used by Persons in Authority to inform athletes and their parents/guardians at the same time. For example, any emails should be copied to a parent/guardian, and team communication on WhatsApp should include parents/guardians. In some circumstances, non-personal communication can occur on these media without including a parent/guardian (such as an athlete informing a coach that they will be late for practice) but parents/guardians must be aware that this communication may occur and they should know that they can ask for it to cease.
- Persons in Authority can be available to the athlete to receive messages about personal issues on the athlete's preferred communication medium – but these messages must be logged and available to the athlete's parent/guardian. Persons in Authority should avoid initiating contact on Social Media but may accept 'friend' or 'follow' requests provided any communication that occurs on Social Media is restricted to content and material that furthers the development of the athlete's athletic goals or experience (such as training videos or comments about the sport). These interactions must be Public Communication (not private messaging) and parents/guardians must

know that it may occur. A Social Medium that defaults to automatically deleting content after a set time period (such as Snapchat) cannot be used.

Level 3 – Communication with Some Conditions

- At this level, communication on Electronic Communication Media and Social Media is permitted but Persons in Authority should take some precautions. All communication should be Public Communication, whenever possible, and should be open and observable. However, recognizing that Persons in Authority and athletes at this level are adults, communication that is of a personal nature may occur on an Electronic Communication Medium and it is not necessary to copy a second adult. This communication should be logged and available to Softball NB if requested.
- To protect the integrity of the coach-athlete relationship, Persons in Authority should avoid initiating contact on Social Media but can be available to the athlete to receive messages about personal issues on the athlete's preferred communication medium. Persons in Authority may accept 'friend' or 'follow' requests provided any communication that occurs on Social Media is Public Communication (not private messaging). A Social Medium that defaults to automatically deleting content after a set time period (such as Snapchat) should be avoided.

Guidelines for Persons in Authority

General – All Levels

1. You must model appropriate behaviour befitting your role and status in connection with Softball Canada.
2. Ensure you host an information session for parents/guardians and athletes at the beginning of your season that clearly outlines communication standards and how you will be communicating with the athletes throughout the season.
3. Ensure all electronic and social communication is professional, unambiguous, and on-topic. Avoid emojis and unspecific language that can be interpreted in multiple ways.
4. Be aware that you may acquire information about an athlete that imposes an obligation of disclosure on your part (such as seeing pictures of underage athletes drinking during a trip).
5. Athletes will search for your Social Media accounts. Be prepared for how you will respond when an athlete attempts to interact with you on Social Media.
6. Annually review and update the privacy settings on all your Social Media accounts.
7. Consider creating separate Social Media accounts for the express purpose of communicating with Vulnerable Participants. Access should be provided to other Persons in Authority and to Softball Canada so that the accounts are open and observable.
8. Consider monitoring or being generally aware of athletes' public Social Media behaviour to ensure compliance with the Code of Conduct and Ethics and this Policy.
9. Persons in Authority may not demand access to an athlete's private posts on Twitter, Instagram, or Facebook.
10. Avoid adding athletes to Snapchat and do not send snapchats to athletes.
11. Do not post pictures or videos of athletes on your private Social Media accounts.
12. Keep selection decisions and other official business off Social Media.
13. Never misrepresent yourself by using a fake name or fake profile.
14. Avoid association with Facebook groups, Instagram accounts, or Twitter feeds with explicit sexual conduct or viewpoints that might offend or compromise your relationship with an athlete.
15. Do not delete your communication history with Vulnerable Participants in any medium.

16. Be prepared to accept that Softball Canada (or parents/guardians) may request logs or records of your communication history. Become familiar with some of the methods to save and download messages:
    a. Saving and Printing Instagram Messages
    b. Download Instagram Messages (chrome plugin)
    c. Saving Chat History (WhatsApp)
    d. Transferring iPhone Messages
    e. Saving Text Messages

Level 1

1. All communications should occur through official channels approved by the organization, which are monitored and capable of being audited, and ensure parents are aware of this requirement.
2. Communications must involve a parent or guardian wherever possible, ensuring transparency and accountability.
3. The content of communications must strictly relate to sports training or necessary logistics without any personal messages, avoiding emojis, slang, or any ambiguous language.
4. Any communication that must occur in exceptional circumstances must be logged and available for audit by the organization, ensuring nothing is deleted or altered post-communication.
5. Persons in Authority are explicitly prohibited from initiating private messages, adding athletes as friends or followers on personal social media, and must not communicate through social media platforms
6. Persons in Authority are expected to undergo regular training on these guidelines and are subject to oversight to ensure compliance.

Level 2

1. Ensure that parents are aware if some interactions may take place on Social Media and Electronic Communication Media and the context for those interactions.
2. Attempt to make communication with athletes on Electronic Communication and Social Media as one-sided as possible. Be available for athletes if they initiate contact – athletes may wish to have this easy and quick access to you – but avoid imposing yourself into an athlete's personal media space.
3. Never accept communication from one athlete while blocking another athlete. Be consistent in your use of Social Media to communicate with all athletes.
4. Consider using TeamSnap or another league and team management application that allows nonpersonal communication to occur through the application/website and be directed at both parents/guardians and Vulnerable Participants at the same time.
5. Do not initiate "friend" or "follow" requests with athletes on Facebook. Never pressure athletes to "friend" or "follow" you.
6. Consider managing your Social Media so that athletes do not have the option to follow you on Twitter or Instagram or send you a "friend" request on Facebook.

Level 3

1. Choosing not to engage with Social Media is an acceptable strategy. Be prepared to inform athletes why you will not engage in this space and explain which media you will use to communicate with them.

2. Never require athletes to join Facebook, join a Facebook group, subscribe to a Twitter feed or Instagram account, or join a Facebook page about your group or organization.
3. If you use a Social Medium to communicate, do not make the Social Medium the exclusive location for important information. Duplicate important information in Electronic Communication Media (like on a website or via email).
4. Exercise appropriate discretion when using Social Media for your own personal communications (with friends, colleagues, and other Persons in Authority) with the knowledge that your behaviour may be used as a model by athletes.

General – Video Sessions

1. Video sessions should be recorded, when possible. Recording video sessions documents the interaction and serves to 'open' the environment. Your sport organization, the athlete and/or a minor athlete's parent/guardian (when applicable) should be permitted to view the recording.
2. Video sessions with groups of athletes (such as a team) should be attended by at least two adults (preferably coaches). One-on-one video sessions should be either recorded with permission and/or attended by another adult and/or the athlete's parent/guardian (when applicable). No one-on-one video session with a minor athlete should take place without a parent/guardian's knowledge.
3. Provide a clear statement of professional standards expected of all attending individuals prior to any video session. Provide an outline and agenda of the video session to athletes and to the athlete's parent/guardian (when applicable) prior to the session. Any breaches of professional standards that occurred during the session must be communicated to parents/guardians of minor athletes after the session.
4. Sessions should avoid overly personal communication and focus on training/coaching.
5. Video sessions should be held in a professional setting. Your video stream must show a neutral background (avoid bedrooms and bathrooms).
6. Dress professionally (to the point of over-dressing) and reduce socialization.
7. Inform your sport organization that you intend to communicate with athletes via video session. If you intend to provide instruction or skills training, your organization may need to sanction the session and/or parents/guardians of minor athletes may need to sign an agreement or a waiver.

Guidelines for Athletes

General - All Levels

1. Set your privacy settings to restrict who can search for you and what private information other people can see.
2. Coaches, teammates, officials, or opposing competitors may all add you to Facebook or follow you on Instagram or Twitter. You are not required to follow anyone or be Facebook friends with anyone.
3. Avoid adding Persons in Authority to Snapchat and do not send snapchats to Persons in Authority.
4. If you are under the age of 18, make sure that your parent/guardian is aware of any Electronic Communication and/or Social Media interactions that you have with your coach or another Person in Authority.
5. If you feel harassed by someone in an Electronic Communication Media and/or Social Media interaction, report it to your parent/guardian, a Person in Authority, or to Softball Canada.

6. You do not have to join a fan page on Facebook or follow a Twitter feed or Instagram account if you do not want to.
7. Content posted or shared on Social Media, relative to your privacy settings, is considered Public Communication. In most cases, you do not have a reasonable expectation of privacy for any material that you post or share.
8. Content posted on Social Media is almost always permanent – consider that other individuals may take screencaps of your content (even snapchats) before you can delete them.
9. Avoid posting pictures of, or alluding to, participation in illegal activity or banned substances such as: speeding, physical assault, harassment, drinking alcohol (if underage), smoking marijuana, etc.
10. Model appropriate behaviour in Social Media befitting your status as a) an athlete, and b) a participant within Softball Canada. As a representative of Softball Canada, you have agreed to the Code of Conduct and Ethics and must follow that Code when you post material and interact with other people through Electronic Communication and Social Media.
11. Be aware that your public Facebook page, Instagram account, or Twitter feed may be monitored by your coach or another Person in Authority, or by Softball Canada. Content or behaviour on Social Media may be subject to sanction under the Discipline and Complaints Policy.
12. If you attend a video session, your video stream should show a neutral background (avoid bedrooms and bathrooms).

Guidelines for Parents/Guardians

General - All Levels

1. You can request copies of any communication that occurs on Electronic Communication Media between a Person in Authority and your Vulnerable Participant.
2. You can request that any communication that occurs on Electronic Communication and/or Social Media between a Person in Authority and your Vulnerable Participant be logged and available to you.
3. You can inform Persons in Authority that they are not permitted to contact your Vulnerable Participant on any (or a specific) Social Medium.
4. Inform Softball Canada if a Person in Authority interacted with your Vulnerable Participant in an Electronic Communication Medium or Social Medium without your knowledge.
5. Inform Softball Canada if a Person in Authority initiated an interaction with your Vulnerable Participant on a Social Medium.

Level 2

1. Be aware that Participants between the ages of 13 and 18 often prefer to discuss personal and non-personal matters on Electronic Communication Media or Social Media rather than face-to-face. Permitting your Vulnerable Participant to have this option (with certain conditions) to connect with a Person in Authority may improve their athletic experience and personal development.
2. Consider joining any Public Communication that occurs on a Social Medium between a Person in Authority and your Vulnerable Participant (such as by tagging a coach and your athlete on a Twitter thread or by adding a comment to an Instagram post)

Conduct and Behaviour

1. Softball NB is aware that Participant interaction and communication occurs frequently on social media. Softball NB cautions Participants that any conduct falling short of the standard of behaviour required by Softball NB's Code of Conduct and Ethics will be subject to the disciplinary sanctions identified within Softball NB's Discipline and Complaints Policy.
2. In accordance with Softball NB's Discipline and Complaints Policy and Code of Conduct and Ethics, the following social media conduct may be considered minor or major infractions at the discretion of the Internal Discipline Chair or Case Manager:
    a. Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at a Participant, at Softball NB, or at other individuals connected with Softball NB
    b. Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at a Participant, at Softball NB, or at other individuals connected with Softball NB
    c. Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Softball NB, its stakeholders, or its reputation
    d. Inappropriate personal or sexual relationships between Participants who have a Power Imbalance in their interactions, such as between athletes and coaches, Directors and staff, officials and athletes, etc.
    e. Any instance of cyber-bullying or cyber-harassment between one Participant and another Participant (including a teammate, coach, opponent, volunteer, or official), where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
3. All conduct and behaviour occurring on social media may be subject to Softball NB's Discipline and Complaints Policy at the discretion of the Internal Discipline Chair or Case Manager.

Participants Responsibilities

4. Participants acknowledge that their social media activity may be viewed by anyone, including Softball NB
5. If Softball NB unofficially engages with a Participant in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Participant may, at any time, ask Softball NB to cease this engagement.
6. When using social media, a Participant must model appropriate behaviour befitting the Participant's role and status in connection with Softball NB
7. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Participant from being subject to Softball NB's Discipline and Complaints Policy.
8. An individual who believes that a Participant's social media activity is inappropriate or may violate Softball NB's policies and procedures should report the matter to Softball NB in the manner outlined by Softball NB's Discipline and Complaints Policy.

EVENT DISCIPLINE POLICY

*** This Event Discipline Policy does not supersede or replace Softball New Brunswick Inc's Discipline and Complaints Policy ***

Purpose

1. Softball NB is committed to providing a competition environment in which all Participants are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

Scope and Application of this Policy

2. This Procedure will be applied to all Softball NB-sanctioned and operated Events. Changes to this Procedure must also be outlined in the event Competition Guide, when and if applicable.
3. If the Event is being sanctioned by an organization other than Softball NB, the Event Discipline Procedure of the sanctioning organization will replace this procedure. Incidents involving Participants connected with Softball NB (such as athletes, coaches, members, and Directors and Officers) must still be reported to Softball NB to be addressed under Softball NB's *Discipline and Complaints Policy*, if necessary.
4. This Procedure does not replace or supersede Softball NB's Discipline and Complaints Policy. Instead, this Procedure works in concert with the Discipline and Complaints Policy by outlining, for a designated person with authority at an event sanctioned and operated by Softball NB, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of Softball NB's *Code of Conduct and Ethics.*
5. See Appendix B Softball NB's Disciplinary Guidelines

Misconduct During Events

6. Incidents that violate or potentially violate Softball NB's *Code of Conduct and Ethics*, which can occur during a competition, away from the area of competition, or between parties connected to the Event, shall be reported to the Event Discipline Committee.
7. The Discipline Committee will consist of the supervisor, the Umpire in Chief (UIC) and a third person appointed by the supervisor. The Discipline Committee will make rulings on any incidents that occur during the Event. Incident Report Forms must be completed by all parties. These forms will be available in the umpires' change rooms during the tournament or can be obtained from the supervisor.
8. All incidents must be reported even if no further action is required. Provincial/Territorial Associations wish to be informed of all incidents involving its teams at Events. Incident reporting may be for both on and off field incidents. Please see the *Discipline and Complaints Policy* for more information.
9. In all matters of Event discipline, the supervisor shall have final authority.

Reporting Process

10. An Incident Report must be completed by the umpire(s) or any affected Participant(s).

11. The Incident Report must be given to the UIC, who shall ensure that it is complete. If the report is incomplete, the UIC will gather the missing information.
12. The UIC must provide the complete report to the supervisor.
13. The supervisor must ensure that all relevant information is contained in the Incident Report, including the full names of any Participant involved, the full names of witnesses and their contact information (phone number, email address), and a detailed description of the incident from both parties (i.e. a written account of the incident from the umpire(s) and the Participant(s) in question).
14. The supervisor must ensure that all parties have written a description of the incident.
15. The supervisor must convene a meeting of the Discipline Committee within 24 hours of the incident, or sooner if warranted by the circumstances. If it is deemed necessary, additional information shall be gathered (such as additional witnesses and their statements) and provided to the Discipline Committee. The supervisor will be the chairperson of this meeting.
16. The committee will interview any relevant Participant involved in the incident and ask questions to clarify the reports submitted and allow the parties to add information to the report previously submitted.
17. All relevant parties (as determined by the supervisor) involved in the incident will be in attendance at this meeting. Each person will be allowed to give a ten (10) minute explanation of the events. Questions will be directed to any witnesses present at the incident by the Discipline Committee. After each person has spoken, the other party is allowed a 5-minute rebuttal. The supervisor has the right to modify this agenda as the situation dictates.
18. Upon hearing all of the evidence, the Discipline Committee will make a decision regarding whether a breach of any Softball NB policy has occurred and, if so, impose the appropriate sanction. The Discipline Committee will provide a written decision to any Participant involved in the incident, as well as to Softball NB, as soon as reasonably possible.
19. If warranted by the circumstances, the Discipline Committee may render an oral decision or a summary written decision, with a full reasoned decision to follow.
20. For the purpose of taking disciplinary action during the Event, the Discipline Committee will determine the appropriate action to be taken regarding the infraction(s) in accordance with Softball NB's *Discipline and Complaints Policy.*

Authority

21. The Discipline Committee does not have the authority to determine a suspension that exceeds the duration of the Event. A full written report of the incident shall be submitted to Softball NB following the conclusion of the Event. Further discipline may then be applied in accordance with Softball NB's Discipline and Complaints Policy if necessary.
22. Decisions made in the scope of this Procedure may not be appealed.
23. This Procedure does not prohibit other Participants from reporting the same incident to Softball NB to be addressed as a formal complaint pursuant to Softball NB's Discipline and Complaints Policy. Softball NB shall record and track all reported incidents.

IMPAIRMENT AND ACCOMMODATION POLICY

Definitions

1. The following terms have these meanings in this Policy:
    a. ***Accommodation -*** THe obligation to take steps to adjust rules, policies or practices that have a negative impact on individuals based on prohibited grounds of discrimination.
    b. ***Discrimination -*** Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics or disability.
    c. ***Individuals -*** All categories of membership defined in Softball NB's Bylaws, as well as all individuals employed by, or engaged in activities with, Softball NB including, but not limited to, athletes, coaches, convenors, officials, umpires, volunteers, managers, administrators, committee members, employees, contractors, and Directors and Officers of Softball NB
    d. ***Prescription Medication -*** throughout this policy, it shall be understood to be medication that an individual has been validly prescribed by a medical practitioner.
    e. ***Workplace -*** Any location where association business or operational activities take place. Workplaces include but are not limited to, Softball NB's office, work-related social functions, work assignments outside of Softball NB's office, work-related travel, training and competition venues, the field of play and facilities, and work-related conferences or training sessions.

Purpose

2. This policy describes how Softball NB will manage situations of impairment or potential impairment in the Workplace from an Individual's use of legal or illegal drugs or substances, alcohol, or prescription medication, as well as potential sanctions for Individuals who are found to be impaired in the Workplace in a manner that contravenes this policy or any of Softball NB's relevant and applicable policies.
3. This policy also describes how and when Softball NB will make accommodations for individuals who require the use of prescription medication that may cause impairment in the workplace or who have a diagnosed substance dependency on any legal or illegal drug or substance, alcohol, or prescription medication which may or may not cause impairment in the Workplace. Such substance dependency may be considered to be a disability if diagnosed by a relevant healthcare professional.

Scope and Application of this Policy

4. This policy applies to all individuals and to situations arising in the workplace
5. Whenever this policy is found to be in conflict with relevant and applicable legislation, the legislation shall prevail.

Impairment

6. Impairment in the Workplace, subject to the **Accommodation** section of this Policy, is not permitted.

7. Impairment by Individuals in areas other than the Workplace may or may not be permitted, pursuant to the category of Individual and level of impairment, as described in Softball NB's standards of conduct for each category of Individual.

Signs of Impairment

8. Signs of impairment include, but are not limited to:
    a. Personality changes or erratic behaviour (e.g., increased personal conflicts, over-reaction to criticism);
    b. Nervousness, sleepiness, poor memory, overly talkative, fatigued;
    c. Working in an unsafe manner;
    d. Altered appearance (e.g., odour of drugs or alcohol, glassy or red eyes, sweating, unsteady gait, slurring, poor coordination or balance);
    e. Slurred speech, rambling, confused;
    f. Citations for driving under the influence, or tickets or arrests for other criminal acts; or
    g. Consistent lateness, absenteeism, or reduced productivity or quality of work.

Accommodation

9. Individuals seeking an accommodation from Softball NB shall provide Softball NB with documented evidence from their relevant healthcare professional with a written description of the Workplace accommodations that the Individual's healthcare professional considers to be appropriate.
10. If Softball NB becomes aware of a medical prescription for a diagnosed medical condition, a diagnosed substance dependency, or prohibited substance use by an Individual who is an athlete (either by voluntary disclosure, complaint, or positive drug test), Softball NB will follow the steps as described in the Substance Use by an Athlete section of this Policy.

Disclosing Medical Prescription/Condition

11. An Individual who has a medical prescription for a diagnosed medical condition that may cause impairment in the Workplace may be accommodated by Softball NB. Softball NB will provide reasonable accommodation, to the point of undue hardship, unless there is reasonable justification to consider otherwise. In these cases, Softball NB will:
    a. Discuss accommodation, based on the measures that the Individual's healthcare professional considers to be appropriate and which have been provided to Softball NB by the Individual.

Disclosing Substance Dependency

12. An Individual who discloses a diagnosed substance dependency to Softball NB will be treated with compassion and respect and may be accommodated by Softball NB. Softball NB will provide reasonable accommodation, to the point of undue hardship, unless there is reasonable justification to consider otherwise. In these cases, Softball NB will:
    a. Assist the Individual with obtaining support and resources that will accommodate their Workplace circumstances; however, such support and resources may or may not include financial resources, as determined by Softball NB; and

b. Discuss accommodation, based on the measures that the Individual's healthcare professional considers to be appropriate and which have been provided to Softball NB by the Individual.

Softball NB Becomes Aware of Substance Dependency

13. Softball NB is aware that not all Individuals will disclose a diagnosed substance dependency. Softball NB understands that it has a duty to inquire when it recognizes **Signs of Impairment** (described in Section 8 of this Policy) that may require reasonable accommodation or for Softball NB to take necessary and proportionate steps to manage an Individual's diagnosed disability.
14. Should the Individual display signs of impairment, but not have or admit to a diagnosed substance dependency or ask for an accommodation, Softball NB will outline potential consequences of the Individual's behaviour (such as sanctions, complaints, or dismissal in the case of an employee or contractor).

Procedures

15. Any medical information voluntarily shared by the Individual with Softball NB will not be disclosed to any third-parties or to any Individuals or supervisors who are not directly involved with the Individual's work and/or any Workplace accommodation.
16. After reviewing written documentation from an Individual's physician or healthcare professional, Softball NB will provide reasonable Workplace accommodation for the Individual, to the point of undue hardship or there is reasonable justification to consider otherwise.
17. In preparation for the Workplace accommodation, Softball NB will review the Individual's tasks and objectives and determine what needs to be accommodated, and what can and cannot be accommodated. Such determinations will form the basis of the Individual's Workplace accommodation plan.
18. An Individual's Workplace accommodation plan should:
    a. Be completed and signed by Softball NB, the Individual, and the Individual's supervisor (if any);
    b. Identify the specific Workplace accommodation measures or solutions;
    c. Be flexible;
    d. Identify certain behaviours that may be significant; and
    e. If necessary, describe a 'return to work agreement' in the event of a prolonged absence.
19. If an Organization provides workplace accommodation to an individual who may be impaired from the use of prescription medication for a diagnosed medical condition, or who has a diagnosed substance dependency defined as a disability, this will not preclude Softball NB from imposing sanctions against the Individual as described in this Policy and/or Softball NB *Discipline and Complaints Policy* and as may be applicable and necessary in the circumstances.

Substance Use by an Athlete

20. Softball NB is committed to clean sport and endorses the 2015 Canadian Anti-Doping Program and the World Anti-Doping Code. Softball NB confirms that it has adopted and/or commits to respect the 2015 CADP as its primary domestic anti-doping policy.
21. Athletes are responsible for knowing whether they are using or will need to use any prescription medication(s) that contain prohibited substances. The current List of Prohibited Substances can

be found online on the website of the World Anti-Doping Agency or the Canadian Centre for Ethics in Sport.

22. Softball NB will approach certain substance use by athletes in the following manner:
    a. Athlete requires the use of a prescription medication that contains a prohibited substance – the athlete must consult with the Canadian Centre for Ethics and Sport ("CCES") to determine whether the athlete can obtain a Therapeutic Use Exemption.
    b. Athlete requires the use of a prescription medication that may cause impairment – Softball NB shall determine whether the athlete may continue to train or compete while using a prescription medication that may cause impairment or whether any accommodations can be made while the athlete requires the use of the prescription medication. Such a determination will be made by Softball NB following consultation with relevant medical professionals and in consideration of the safety of the athlete and other participants.

INCLUSION POLICY

Guiding Principles

1. The Association supports the recommendations outlined in Creating Inclusive Environments for Trans Participants in Canadian Sport, the guidance document developed by the Trans Inclusion in Sport Expert Working Group and published by the Canadian Centre for Ethics in Sport (CCES). Association adopts the best practices outlined in the document and has used the four Policy Guidance statements in the development of this Inclusion Policy. The Policy Guidance statements are:
    a. Individuals participating in development and recreational sport (LTAD stages Active Start, FUNdamental, Learn to Train, Train to Train, Train to Compete (until international federation rules apply) and Active for Life) should be able to participate in the gender with which they identify and not be subject to requirements for disclosure of personal information beyond those required of cisgender athletes. Nor should there be any requirement for hormonal therapy or surgery
    b. Hormone therapy should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity, unless the sport organization can prove that hormone therapy is a reasonable and bona fide requirement
    c. Individuals should not be required to disclose their trans identity or history to the sport organization in order to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) unless there is a justified reason requiring them to do so.
    d. Surgical intervention should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity

Definitions

2. The following terms have these meanings in this document:
    a. ***Association*** – Softball Canada
    b. ***Cisgender*** – A term to describe a person whose gender identity corresponds with their birth-assigned sex (e.g. someone whose gender identity is man and was assigned male at birth).
    c. ***Gender*** – The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity
    d. ***Gender Expression*** – The way an individual communicates their gender identity to others. This is done through behaviour, body language, voice, emphasis or de-emphasis of bodily characteristics, choice of clothing, hairstyle, and wearing make-up and/or accessories. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time
    e. ***Gender Identity*** – A person's innermost sense of their own gender. This can include man, woman, both neither or something else entirely. Gender also refers to a variety of

social and behavioral characteristics (e.g. appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression

f. ***Gender reassignment*** – medically-supervised program of treatment to transition a person's body to align with their gender identity through hormone therapy and/or surgery
g. ***Intersex*** – Refers to a combination of features that distinguish male and female anatomy
h. ***Sex*** – The classification of people as male, female or intersex. Sex is usually assigned at birth and is based on an assessment of a person's reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia
i. ***Trans*** – An umbrella term that describes people with diverse gender identities and gender expressions that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. It includes but is not limited to people who identify as transgender, transsexual, cross dressers (adjective) or gender non-conforming (gender diverse or genderqueer).
j. ***Transgender Female*** – Someone who was assigned the male sex at birth, but whose gender identity is female
k. ***Transgender Male*** – Someone who was assigned female sex at birth, but whose gender identity is male

Purpose

3. The Association believes that all individuals deserve respectful and inclusive environments for participation that value the individual's gender identity and gender expression. The Association wants to ensure that all participants have access to programming and facilities in which they feel comfortable and safe. The Association is committed to implementing this policy in a fair and equitable manner.

Actions for Inclusion

4. The Association pledges to:
    a. Provide this Policy to Association staff, Directors and Provincial/Territorial members and provide education on the importance of trans inclusion and what this entails in terms of practices, policies, procedures and norms of behavior.
    b. Provide registration forms and other documents that allow:
        i. The individual to indicate their gender identity and expression, rather than their sex or gender; and
        ii. The individual to abstain from indicating a gender identity with no consequence to the individual
    c. Maintain organizational documents and the Association website in a manner that promotes inclusive language and images
    d. Refer to individuals by their preferred name and pronoun
    e. Work with trans athletes on the implementation, monitoring and/or modification of this Policy
    f. When the Association has the authority to determine participants' use of washrooms, change rooms, and other facilities, the Association will permit individuals to use the facilities of their gender identity
    g. Ensure uniforms and dress codes that respect an individual's gender identity and gender expression

h. Determine Eligibility Guidelines for transgender participants (as described in this Policy)

Eligibility Guidelines - Exceptions

5. When applicable, the eligibility guidelines of the World Baseball Softball Confederation, and/or any major Games regarding trans athlete participation will supersede the eligibility guidelines as outlined in this Policy.

Eligibility Guidelines

6. As a general guiding principle for the Association's eligibility guidelines, the Association supports the following statement from Creating Inclusive Environments for Trans Participants in Canadian Sport: *Based on this background and available evidence, the Expert Working Group felt that trans athletes should be able to participate in the gender with which they identify, regardless of whether or not they have undergone hormone therapy. Exceptions could be made if a sport organization is able to provide evidence that demonstrates hormone therapy is a reasonable and bona fide requirement (i.e., a necessary response to a legitimate need) to create a fair playing field at the high-performance level (p. 19)*
7. At both recreational and competitive levels, an individual may participate in their expressed and identified gender category.
8. Individuals are not required to disclose their trans identity or history to the Association or any of the Association's representatives (e.g., coaches, staff, Directors, officials, etc.).
9. All athletes must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program. Trans athletes undergoing gender reassignment are encouraged to contact the Canadian Centre for Ethics in Sport (CCES) to determine what procedures, if any, are required to obtain a Therapeutic Use Exemption (TUE).

Confidentiality

10. The Association will not disclose to outside parties any documentation or information about an individual's gender identity and expression. A trans individual's privacy and confidentiality will be respected.

Ongoing Monitoring

11. The Association commits to monitoring ongoing developments regarding national and international participation guidelines for trans athletes and pledges to monitor the implementation, review and/or revise this Policy whenever new information becomes available.

Resolving Gender Identity and Expression Issues

12. Should an individual feel they have been subject to, or witness, discrimination, bullying, harassment, sexual harassment, vilification or victimization based on gender identity or expression, they should take appropriate action through Softball Canada's Discipline and Harassment Policy. Should the person not feel safe in doing so, they should seek assistance from the CEO of Softball Canada for advice and support, or action on their behalf.

Appeal

13. Any decision rendered by the Association in accordance with this Policy may be appealed in accordance with the Association's Appeal Policy.

INVESTIGATIONS POLICY

* Indicates a section adapted from the UCCMS

Determination and Disclosure

1. When a complaint is submitted in accordance with Softball NB's Discipline and Complaints Policy, the Case Manager will determine if such complaint should be investigated.
2. Softball NB will adhere to all disclosure and reporting responsibilities required by the Government of Canada and, if applicable, any government entity, local police force, or child protection agency.

Investigation

3. Complaints that are investigated will continue to be addressed by the process(es) described in the Discipline and Complaints Policy. However, the Case Manager may also appoint an Investigator to investigate the allegations.
4. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
5. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
6. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
    a. Complainant interviewed;
    b. Witnesses interviewed;
    c. Statement of facts (complainant's perspective) prepared by Investigator and acknowledged by Complainant;
    d. Statement delivered to Respondent;
    e. Respondent interviewed;
    f. Witnesses interviewed; and
    g. Statement of facts (respondent's perspective) prepared by Investigator and acknowledged by Respondent.

Investigator's Report

7. In accordance with the timelines determined by the Case Manager, who may modify the timelines as described in the Discipline and Complaints Policy, the Investigator will prepare and submit a Report.
8. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, a breach of the Code of Conduct and Ethics occurred.
9. *The Investigator must be aware that sport-specific differences exist with respect to such aspects as acceptable levels of touch, physical contact, and aggression during training or competition and will consider such differences during the investigative process.
10. The Investigator's Report will be provided to the Case Manager who will disclose it, at their discretion, to Softball NB and/or the External Discipline Panel or Internal Discipline Chair (as applicable) or any other third party. A summary of the report may be provided to the parties.

11. Should the Investigator find that there are possible instances of offence under the Criminal Code, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant to refer the matter to police. The Investigator will further inform Softball NB that the matter should be directed to the police.
12. The Investigator must also inform Softball NB of any findings of criminal activity. Softball NB may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against Softball NB, or other offences where the lack of reporting would bring Softball NB's reputation into disrepute.
13. The Internal Discipline Chair, Case Manager or the External Discipline Panel, as applicable, shall consider the Investigator's Report, in addition to submissions from the parties, prior to deciding on the complaint.

Reprisal and Retaliation

14. *A Participant who submits a complaint to Softball NB or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Maltreatment and will be subject to disciplinary proceedings pursuant to the Discipline and Complaints Policy.

False Allegations

15. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint pursuant to the Discipline and Complaints Policy. In such circumstances, Softball NB or the individual against whom the false allegations were submitted may act as the Complainant.

Confidentiality

16. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action or is otherwise required by law. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Softball NB recognizes that maintaining anonymity of any party may be difficult for the Investigator during the investigation.

SAFE SPORT POLICY

* Indicates a definition adapted from the UCCMS

Purpose:

1. This Policy describes how Softball NB aims to provide a safe sport environment.

Commitment to True Sport Principles:

2. Softball NB commits to the True Sport Principles which are:
    a. **Go for It** – Rise to the challenge – always strive for excellence. Discover how good you can be.
    b. **Play Fair** – Play honestly – obey both the letter and spirit of the rules. Winning is only meaningful when competition is fair.
    c. **Respect Others** – Show respect for everyone involved in creating your sporting experience, both on and off the field. Win with dignity and lose with grace.
    d. **Keep it Fun** – Find the joy of sport. Keep a positive attitude both on and off the field.
    e. **Stay Healthy** – Place physical and mental health above all other considerations – avoid unsafe activities. Respect your body and keep in shape.
    f. **Include Everyone** – Share sport with others. Ensure everyone has a place to play.
    g. **Give Back** – Find ways to show your appreciation for the community that supports your sport and helps make it possible.

Commitment to a Sport Environment Free from Maltreatment:

3. *Softball NB makes the following commitments to a sport environment free from Maltreatment:
    a. All Participants in sport can expect to play, practice and compete, work, and interact in an environment free from Maltreatment.
    b. Addressing the causes and consequences of Maltreatment is a collective responsibility and requires the deliberate efforts of all Participants, sport stakeholders, sport club administrators and organization leaders.
    c. Participants in positions of trust and authority have the general responsibility to protect the health and well-being of all other Participants.
    d. Adult Participants have a specific ethical and statutory duty and the additional responsibility to respond to incidents of Maltreatment involving Minors and other Vulnerable Participants.
    e. All Participants recognize that Maltreatment can occur regardless of age, sex, sexual orientation, gender identity or expression, race, ethnicity, Indigenous status, or level of physical and intellectual disability and their intersections. Moreover, it is recognized that those from traditionally marginalized groups have increased vulnerability to experiences of Maltreatment.
    f. All Participants recognize that individuals who have experienced Maltreatment may experience a range of effects that may emerge at different time points and that can profoundly affect their lives.
    g. All adults working with children and youth have a duty to prevent or mitigate opportunities for misconduct.

h. In recognition of the historic vulnerability to discrimination and violence amongst some groups, and that continues to persist today, Participants in positions of trust and authority have a duty to incorporate strategies to recognize systemic bias, unconscious bias, and to respond quickly and effectively to discriminatory practices

Pledge:

4. The stakeholders, members, and leaders of Softball NB are expected to live the True Sport Principles and Softball NB pledges to embed the True Sport Principles in its governance and operations in the following ways:
    a. Conduct Standards – Softball NB will adopt comprehensive conduct standards that are expected to be followed by Participants
    b. Athlete Protection – Softball NB will provide coaches and other stakeholders with general and sport-specific athlete protection guidelines
    c. Dispute Resolution and Investigations – Softball NB will have dispute resolution processes that are confidential and procedurally fair and that require independent investigation for certain alleged violates of the conduct standards
    d. Strategy – Softball NB will have strategic plans that reflects the organization's mission, vision, and values
    e. Governance – Softball NB will have a diverse blend of sport leaders and will adhere to principles of good governance
    f. Risk Management – Softball NB will intentionally manage risks to their operations and events through the use of risk management plans and/or risk registries

Conduct Standards:

5. Softball NB will adopt a Code of Conduct and Ethics that describes standards of conduct and behaviour for all Participants. General standards of conduct will apply to all Participants and specific standards will be described for positions within the organization. The Code of Conduct and Ethics will have specific sections, including but not limited, to:
    a. Athletes
    b. Coaches
    c. Officials
    d. Directors and Committee Members
    e. Parents and Spectators

6. The Code of Conduct and Ethics will contain detailed definitions of key terms, including:
    a. Harassment
    b. Maltreatment
    c. Workplace Harassment
    d. Workplace Violence
    e. Discrimination
    f. Unethical Recruitment

7. The Code of Conduct and Ethics will include the following definition of Hazing:
    a. Hazing is a form of conduct that exhibits a 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

8. Softball NB will adopt an Abuse Policy that will define "vulnerable individuals" and describe the types of abuse (e.g., Physical Abuse, Sexual Abuse, Emotional Abuse, and Neglect) that Vulnerable Participants may be subjected to.

Anti-Doping:

9. The Code of Conduct and Ethics will indicate that Softball NB adopts and adheres to the Canadian Anti-Doping Program.
10. Softball NB will adopt an Anti-Doping Policy that further clarifies their commitment to drug-free sport.

Social Media:

11. Softball NB will adopt a Social Media Policy that describes standards of conduct that are expected on social media by Participants. The Social Media Policy will indicate specific conduct standards and risks that are common and/or exclusive to social media. The Social Media Policy will highlight the importance of responsible coach-athlete interaction on social media and will provide examples of violations of conduct standards.

Athlete Protection

Screening

12. Softball NB will adopt a comprehensive Screening Policy that requires some Participants to pass a screening process before being permitted to interact with athletes. The Screening Policy will:
    a. Describe how frequently some Participants must obtain a police records check and which type of check(s) they must obtain
    b. Empower the Executive Director (or Screening Committee) to prohibit Participants who do not pass screening from participating in certain positions
    c. Empower the Executive Director (or Screening Committee) to attach conditions to a Participant's participation in certain positions

13. Softball NB will develop an *Athlete Protection Policy* that can be used by coaches, managers, medical personnel, and other Persons in Authority. Softball NB may provide training on the policy and take steps to ensure the policy is being implemented. Softball NB will conduct a regular review of the policy to add and/or modify new content as appropriate.

Resources

14. Softball NB will regularly provide information to Participants about resources and training related to athlete protection. Resources and training opportunities can include:
    a. CAC Safe Sport Training
    b. NCCP Modules
    c. Respect in Sport
    d. Commit to Kids
    e. Red Cross - Respect Education Courses

Athlete Engagement

15. Softball NB will engage with athletes to determine the level of success of their athlete protection measures as well as to identify any gaps or athlete concerns. This engagement may take the form of:
    a. Anonymous athlete surveys
    b. Athlete involvement in organizational decision-making
    c. Independently-led athlete outreach consultations

Dispute Resolution

16. Softball NB will have a comprehensive suite of dispute resolution policies that will include:
    a. Discipline and Complaints Policy
    b. Appeal Policy
    c. Dispute Resolution Policy
    d. Event Discipline Procedure

17. Taken together, the suite of dispute resolution policies will include the following features:
    a. An independent individual to whom complaints can be submitted
    b. Sanctions for violations of conduct standards
    c. Mechanism for suspension of individuals pending the conclusion of the process
    d. Unbiased and experienced case managers, decision-makers and/or investigators
    e. Protection from reprisal for submitting complaints
    f. Anonymity for the complainant in cases of whistleblowers
    g. Independency of appeal procedures (when appeals are permitted)
    h. Opportunity for alternate dispute resolution
    i. Investigations of certain complaints (e.g., when required by law and/or when the complaint involves harassment, abuse, or discrimination)
    j. In-event discipline procedures (when an event does not have its own disciplinary procedures)

Alignment

18. Softball NB recognizes the importance of safe sport for athletes and participants across the country. Softball NB requires:
    a. Local Associations to report discipline decisions to Softball NB
    b. The distribution of discipline decisions to Softball Canada
    c. Softball NB and Local Associations to recognize and enforce sanctions imposed by Softball NB, Softball Canada, other Provincial/Territorial softball organizations, and Local Associations

Obligations – Reporting and Third-Party Case Management

19. The policies of Softball NB will include requirements that certain complaints must be reported to government entities, local police forces, and/or child protection agencies.

Records

20. Softball NB will retain records of decisions that have been made pursuant to the organization's policies. These records may be shared with other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, multi-sport organizations, and government entities.

Governance and Operations

21. Softball NB will have a comprehensive Strategic Plan in which athlete protection and safe sport are top priorities for the organization.
22. Softball NB will adopt a Conflict of Interest Policy that will guide decision-makers and ensure that conflicts are declared before a decision is made.
23. Softball NB will adopt an Equity and Inclusion Policy that will encourage inclusion, equity and access in their administration, policies, programs, and activities and provide Under-Represented Groups with a full and equitable range of opportunities to participate and lead.
24. Softball NB will pursue a governance structure that reflects the diversity of the athletes and stakeholders within the sport, that adheres to all applicable federal and/or provincial/territorial legislation, and that moves toward a national alignment strategy for the sport in Canada.
25. Softball NB will continually monitor and evaluate its policies, practices, and procedures.

SCREENING POLICY

Definitions

1. The following terms have these meanings in this Policy:
    a. *"Criminal Record Check (CRC)"* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
    b. *"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
    c. *"Enhanced Police Information Check (E-PIC)"* – a Criminal Record Check plus a search of local police information, available from SterlingBackcheck
    d. *"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
    e. *"Vulnerable Individuals"* – A person under the age of 18 years old and/or a person who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority

Preamble

2. Softball NB understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

Application of this Policy

3. This Policy applies to all individuals whose position with Softball NB is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
4. Not all individuals associated with Softball NB will be required to obtain a vulnerable sector check or submit screening documents because not all positions pose a risk of harm to Softball NB or to its participants. The screening process for all volunteers (All rostered coaches and registered officials) will consist of a variety of measures which may include a Vulnerable Sector Check (which also encompasses a Criminal Record Check).
    a. A volunteer is an individual:
        i. Who chooses to undertake a service or activity, someone who is not coerced or compelled to do this activity;
        ii. Who does this activity in service to an individual or an organization, or to assist the community-at-large;
        iii. Who does not receive a salary or wage for this service or activity;
        iv. While this policy focuses on volunteer screening, the same principles apply to paid employees, interns, students on placement and trainers.

Screening Committee

5. The implementation of this policy is the responsibility of Softball NB's Office Staff. Softball NB will ensure that the Office Staff will possess the requisite skills, knowledge and abilities to accurately screen documents and render decisions under this Policy.
6. The Office Staff will carry out its duties, in accordance with the terms of this policy, independent of the Board.
7. The Office Staff is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within the Softball NB In carrying out its duties, the Office Staff may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

Screening Requirements

8. It is Softball NB's policy that when an individual is first engaged by Softball NB:
    a. They will complete the following:
        i. Complete a Screening Disclosure Form (Appendix C)
        ii. Complete VSC (only if direct involvement with vulnerable individuals)
        iii. Participate in training, orientation, and monitoring as determined by Softball NB
        iv. Provide a driver's abstract and/or reference letter, if requested
    b. If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Softball NB. Additionally, the individual will inform Softball NB of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form (Appendix C)
    c. If Softball NB learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with Softball NB's Discipline and Complaints Policy.

Young People

9. Softball NB defines a young person as someone who is younger than 18 years old. When screening young people, Softball NB will:
    a. Not require the young person to obtain a VSC; and
    b. In lieu of obtaining a VSC, Softball NB may request a letter of reference related to the position.
10. Notwithstanding the above, Softball NB may ask a young person to obtain a VSC or E-PIC. If Softball NB suspects the young person has an adult conviction and therefore has a criminal record. In these circumstances, Softball NB will be clear in its request that it is not asking for the young person's youth record. Softball NB understands that it may not request to see a young person's youth record.

Renewal

11. Unless Softball NB determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit a Vulnerable Sector Check, Screening Disclosure Form (Appendix C), or Screening Renewal Form (Appendix D) are required to submit the documents as follows:

a. A Screening Disclosure Form every three years
b. A Screening Renewal Form (Appendix D) every year
c. A Vulnerable Sector Check every three years

12. The Screening Committee may request that an individual provide any of the above documents at any time. Such requests will be in writing and reasons will be provided for the request.

Orientation, Training, and Monitoring

13. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at Softball NB's discretion.
14. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
15. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback
16. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
17. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain a VSC

18. Individuals may only obtain a Vulnerable Sector Check by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
19. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
20. Softball NB understands that it may be required to assist an individual with obtaining a VSC. Softball NB may need to submit a Request for VSC (Appendix E) or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.

Procedure

21. Screening documents must be submitted to:

SOFTBALL NB EXECUTIVE DIRECTOR AT executivedirector@softballnb.ca

22. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
23. Softball NB understands that there may be delays in receiving the results of a VSC. At its discretion, Softball NB may permit the individual to participate in the role during the delay. Softball NB may withdraw this permission at any time and for any reason.
24. Following the review of the screening documents, Softball NB will decide:
    a. The individual has passed screening and may participate in the desired position;

b. The individual has passed screening and may participate in the desired position with conditions;
c. The individual has not passed screening and may not participate in the desired position;
d. Or if more information is required from the individual.

25. In making its decision, Softball NB will consider the type of offense, date of offense, and relevance of the offense to the position sought.
26. Softball NB may decide that an individual has not passed screening if the screening documentation reveals any of the following:
    a. *If imposed in the last three years:*
        i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
        ii. Any offense of assault, physical or psychological violence
        iii. Any offense involving trafficking or possession of illegal drugs
        iv. Any offense involving conduct against public morals
        v. Any offense involving theft or fraud*
    b. *If imposed at any time:*
        i. Any offense involving a Minor or Minors
        ii. Any offense involving the possession, distribution, or sale of any child-related pornography
        iii. Any sexual offense

Conditions and Monitoring

27. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, Softball NB may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with conditions imposed. The Screening Committee may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

Records

28. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
29. The records kept by Softball NB as part of the screening process include but are not limited to:
    a. An individual's Vulnerable Sector Check (for a period of three years)
    b. An individual's Screening Disclosure Form (for a period of three years)
    c. An individual's Screening Renewal Form (for a period of one year)
    d. Records of any conditions attached to an individual's registration
    e. Records of any discipline applied to any individual by Softball NB or by another sport organization

WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow Workers to have a discreet and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Directors or by other Workers.
3. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Softball NB can be reported under the terms of Softball NB's Discipline and Complaints Policy and/or reported to Softball NB's Board or Executive Director to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or any other relevant and applicable Softball NB policy.
4. Matters reported under the terms of this Policy may be referred to be heard under Softball NB's Discipline and Complaints Policy, at the discretion of the Compliance Officer.

Wrongdoing

5. Wrongdoing can be defined as:
    a. Violating the law;
    b. Intentionally or seriously breaching of Softball NB's Code of Conduct and Ethics;
    c. Intentionally or seriously breaching Softball NB's policies for workplace violence and harassment;
    d. Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
    e. Directing an individual or Worker to commit a crime, serious breach of a policy of Softball NB, or other wrongful act; or
    f. Fraud.

Pledge

6. Softball NB pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.
7. Any individual affiliated with Softball NB who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

8. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
    a. Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
    b. Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;

c. Why the act or action should be considered to be wrongdoing; and
d. How the wrongdoing affects the Worker submitting the report (if applicable).

Authority

9. Softball NB has appointed the following Compliance Officer to receive reports made under this Policy:

THE COMPLIANCE OFFICER IS SOFTBALL NB EXECUTIVE DIRECTOR WHO MAY BE CONTACTED AT: executivedirector@softballnb.ca

10. After receiving the report, the Compliance Officer has the responsibility to:
    a. Assure the Worker of Softball NB's Pledge
    b. Connect the Worker to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with Softball NB and/or the content of the report
    c. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
    d. Determine if Softball NB's Whistleblower Policy applies or if the matter should be handled under Softball NB's Discipline and Complaints Policy
    e. Determine if the local police service be contacted
    f. Determine if mediation or alternate dispute resolution can be used to resolve the issue
    g. Determine if Softball NB's Chairperson and/or Executive Director should or can be notified of the report
    h. Begin an investigation

Alternate Liaison

11. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with Softball NB and/or the content of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

THE ALTERNATE LIAISON IS THE SOFTBALL NB HUMAN RESOURCE COORDINATOR EMAIL PRESIDENT lscottwillis@hotmail.com TO REQUEST THEIR CONTACT INFORMATION

12. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with Softball NB without the Worker's consent.
13. A Worker who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

Investigation

14. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Softball NB's Executive Director and/or President may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity

of the Worker who submitted the report being disclosed. Softball NB's Executive Director and/or President may not unreasonably refuse the decision to contract an external investigator

15. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
    a. Follow-up interview with the Worker who submitted the report
    b. Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
    c. Interviews with such-affected individuals
    d. Interview with the Director(s) or Worker(s) against whom the report was submitted
    e. Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted
16. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Softball NB recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.
17. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to Softball NB's President and/or Executive Director for review and action.

Decision

18. Within fourteen (14) days after receiving the Investigator's Report, Softball NB's President and/or Executive Director will take corrective action, as required. Corrective action may include, but is not limited to including:
    a. Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
    b. Revision of job descriptions; or
    c. Discipline, suspension, termination, or other action as permitted by Softball NB's Bylaws, provincial employment legislation, any relevant and applicable Softball NB policy, and/or the Worker's Employment Agreement or Contractor Agreement.
19. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
20. Decisions made under the terms of this Policy may be appealed under the terms of Softball NB's Appeal Policy provided that:
    a. If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal, and
    b. If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that Softball NB will act as the Respondent

Confidentiality

21. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

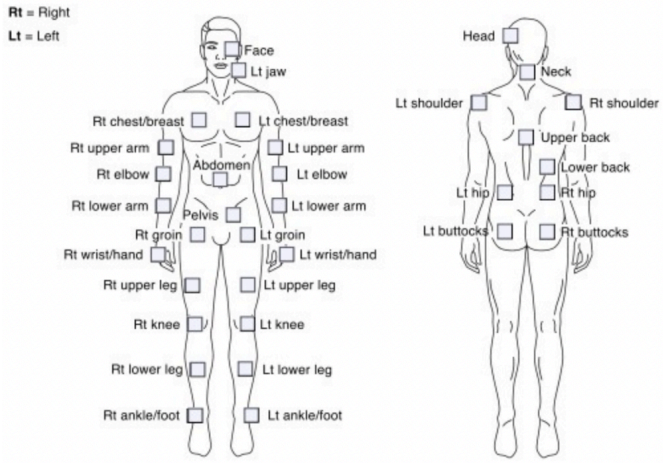
APPENDIX A - INJURY REPORT FORM
(please complete as soon as possible after injury)

SECTION A: INFORMATION

First and Last Name:				
Team Name:		Date of Injury: Time of Injury:		
Email:		Phone:	DOB:	Sex: F M
Address:	City:	Province:	Postal Code:	
Event:		Location of the Event:		
Witness First and Last Name:			Witness Role:	
Witness Email:		Witness Phone:		

SECTION B: INJURY DETAILS

Body Part(s) Injured (please select all that apply)



Please indicate the cause of injury:

Nature of Injury:

____ Dislocation ____ Skin Injury ____ Sprain/Strain
____ Swelling ____ Fracture ____ Bruising
____ Head Injury ____ Other (describe):

NOTE: that any injury involving loss of consciousness, or a possible concussion requires immediate medical consultation

Care:

____ Trainer ____ Hospital ____ EMS ____ Doctor

Initial Treatment:

____ RICE (rest, ice, compress, elevate)
____ Wrapping ____ Stretch/Exercise
____ Sling/Splint ____ Manual Therapy
____ Dressing ____ None

Please indicate if the injury could have been avoided: If so, how?

Name of Individual Completing the Form: (please print)	Signature:

Completed form must be sent to executivedirector@softballnb.ca as soon as possible

APPENDIX B - DISCIPLINARY GUIDELINES

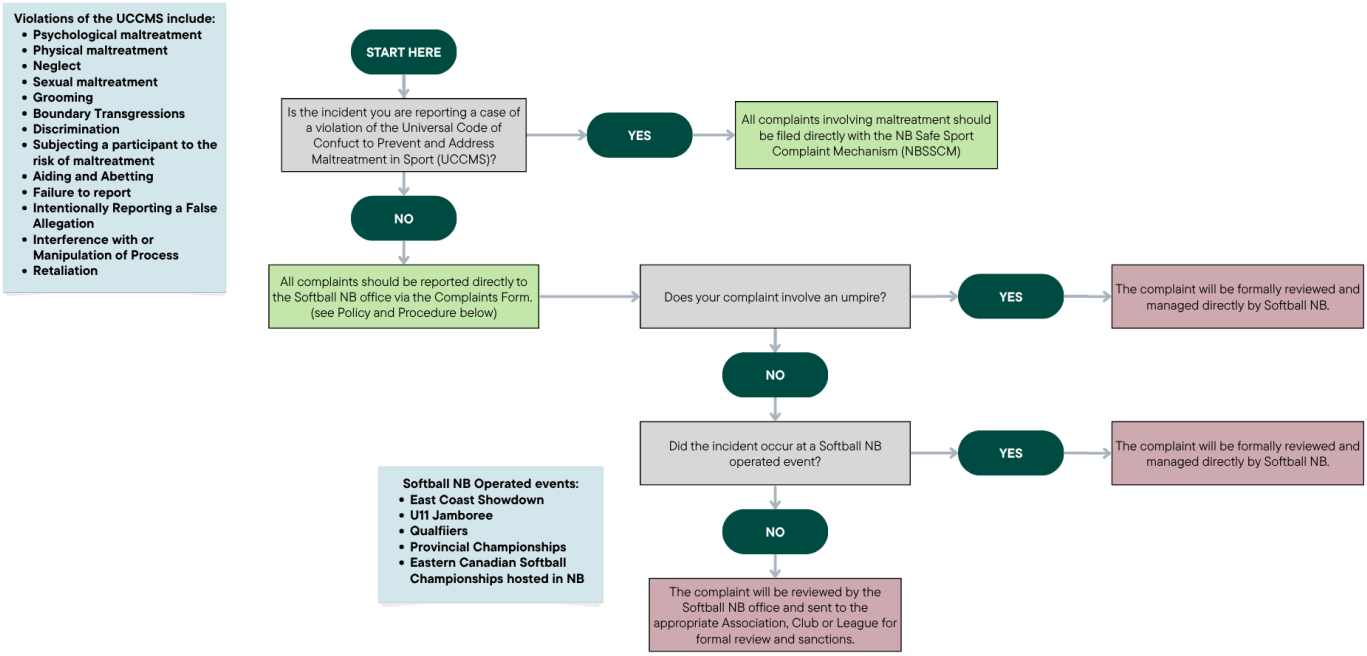
Purpose

Softball New Brunswick (Softball NB) is committed to providing an environment in which all participants are treated with respect. This policy outlines a clear, fair and consistent framework for how alleged misconduct will be handled. It ensures that all participants - athletes, coaches, umpires, volunteers, administrators and spectators - uphold the values of respect, safety, fairness and integrity. The policy supports a safe and positive environment aligned with Softball Canada and Safe Sport principles.

Examples of alleged misconduct include can be found in Appendix A. Complaints involving disagreements regarding playing time, team or event operation, coaching decisions etc. are **NOT** examples of alleged misconduct and should be dealt with internally within the association, club or league.

*All complaints involving maltreatment should be filed directly with the NB Safe Sport Complaint Mechanism (NBSSCM)
** Please see the definition of maltreatment, found here, as defined by the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)

Please refer to the chart below if you are unsure of where to submit your complaint, and the process in which your complaint will be reviewed.



Scope

This policy will be applied to:

- All incidents involving a Softball NB Registered Umpire
- All Softball NB operated events, including East Coast Showdown, Jamboree, Qualifiers, Provincial Championships and Eastern Canadian Softball Championships hosted in NB.
- All registered participants, including athletes, coaches, umpires, team personnel, board members, and volunteers.
- Spectators attending Softball NB operated events

This procedure does not replace or supersede Softball NB's Discipline and Complaints Policy. Instead, this procedure works in concert with the Discipline and Complaints Policy by outlining the procedure for taking immediate, informal or corrective action.

All Softball NB associations, clubs and leagues are highly encouraged to adopt the outlined Sanction Matrix (Appendix A).

Procedure

Initial Reporting of an Incident

- All complaints must be submitted to Softball NB through the Softball NB Complaint Form
- Once received, the complaint will be reviewed by the Softball NB office.
    - Complaints involving any umpire will be formally reviewed and managed directly by Softball NB.
    - Complaints from incidents occurring at any Softball NB operated event (see list above) will be formally reviewed and managed directly by Softball NB.
        - Complaints submitted during a Softball NB operated event will be formally reviewed and sanctions will be applied by the Softball NB representatives onsite, pending availability.
    - Complaints from incidents that did not occur at a Softball NB operated event, will be sent by Softball NB to the appropriate association, club or league that was in charge when the incident occurred.
        - The association, club or league will review and manage the complaint internally and inform Softball NB of the outcome, within seven (7) days of receiving the complaint from Softball NB.

Immediate Status of the Respondent

- Upon receipt of a complaint, if the complaint is within the scope of the policy, Softball NB will notify the respondent named in the complaint and will be immediately placed on hold; and cannot participate in any on-field activities (coaching, officiating, playing etc.) until the review is complete and a decision is issued.
- This temporary hold is administrative, not disciplinary and is intended to protect all Softball NB members and the integrity of the review process.

Review and Assessment Protocol
Softball NB will conduct a timely review of the complaint, which may include:

- Gathering statements from involved parties and witnesses
- Reviewing evidence (video, reports, written statements)
- Consulting relevant policies, codes of conduct and sanction matrices (Appendix A)

Decision and Communication
Softball NB will issue a written decision outlining:

- Findings of fact
- Applicable policy sections
- Sanctions (if any)
- Conditions for reinstatement or further action

The respondent, complainant and relevant association, club or league will be notified.

Any portion of a sanction can only begin once the decision is issued. Time, games or requirements missed during the review period do not count towards fulfilling a sanction unless explicitly stated in the decision.

Reinstatement or Enforcement

- If no sanction is applied, the respondent is reinstated immediately.
- If sanctions are applied they take effect as outlined in the decision
    - Any events missed during the review period do not count towards fulfilling a sanction unless explicitly stated in the decision.
- Softball NB will monitor compliance and coordinate with associations, clubs and/or leagues as required.

Softball Nouveau-New Brunswick Inc.
900 Ch. Hanwell Rd. Suite 31
Fredericton, NB, E3A 6A2

OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Arguing judgment calls excessively or refusing to accept decisions	Ejection	Ejection + 1 game	Ejection + 3 games
Refusing to leave after an ejection	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension
Verbal abuse towards an official	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension
Verbal abuse towards a junior development official	Ejection + 5 games	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension
Verbal abuse towards a junior development official by a spectating parent/guardian or family member of a player	Ejection of parent/ guardian/family member 5 games (sanction served by player)	Ejection + Disciplinary Hearing	N/A
Threatening an official, before, during or after a game.	Ejection + 5 games	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension
Physical abuse towards an official	Ejection + 5 games	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension
Physical abuse towards a junior development official	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension	N/A
Physical abuse towards a junior development official by a spectating parent/guardian or family member of a player	Ejection of parent/ guardian/family member 1 Year Suspension (sanction served by player)	Ejection + Disciplinary Hearing	N/A
Verbal abuse towards a player, coach or spectator	Ejection	Ejection + 1 game	Ejection + 3 games
Threatening an opponent, before, during or after a game.	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension
Physical intimidation without contact (charging, squaring up etc.)	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension

Softball Nouveau-New Brunswick Inc.
900 Ch. Hanwell Rd. Suite 31
Fredericton, NB, E3A 6A2

OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Intentional contact with excessive force on the field of play	Ejection + 5 games	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension
Physical abuse towards a player, coach or spectator	Ejection + 5 games	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension
Violent physical assault at any individual	Ejection + 1 Year Suspension	Ejection + Lifetime Suspension	N/A
Profanity directed at an individual	Ejection + 1 game	Ejection + 3 games	Ejection + 5 games
Profanity not directed at an individual	Ejection	Ejection + 1 game	Ejection + 3 games
Use of discriminatory, hateful or harassing language	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension
Spectator entering playing field without permission	Ejection	Ejection + 1 game	Ejection + 3 games
Intentional delay of game	Ejection	Ejection + 1 game	Ejection + 3 games
Use of illegal or altered equipment	Ejection + 1 game	Ejection + 3 games	Ejection + 5 games
Use of ineligible players	Ejection + 3 games	Ejection + 5 games	Ejection + 1 Year Suspension
Throwing equipment in anger/frustration (bats, helmets etc.)	Ejection	Ejection + 1 game	Ejection + 3 games
Throwing equipment in a dangerous manner	Ejection + 1 game	Ejection + 3 games	Ejection + 5 games
Unsafe play that endangers others (reckless bat swings etc.)	Ejection + 1 game	Ejection + 3 games	Ejection + 5 games
Damaging field or provided equipment	Ejection + 1 game	Ejection + 3 games	Ejection + 5 games

APPENDIX C - SCREENING DISCLOSURE FORM

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS: _____
Street Name Unit

_____
City Province Postal Code

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
MM/DD/YYYY

LOCAL ASSOCIATION (if applicable): _____

EMAIL: _____ **PHONE NUMBER:** _____

Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges.

1. **Do you have a criminal record? If so, please complete the following information for each conviction. Attached additional pages as necessary.**

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____ **Penalty or Punishment Imposed:** _____

Further Explanation: _____

2. **Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.**

Name of Disciplining or Sanctioning Body: _____

Date of Discipline, Sanction or Dismissal: _____

Reasons for Discipline, Sanction or Dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

3. **Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of Disciplining or Sanctioning Body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize Softball Canada to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of Softball Canada's Screening Policy, administering membership services, and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of sport. Softball Canada does not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Softball Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____ **DATE:** _____
MM/DD/YYYY

SIGNATURE: _____

APPENDIX D - SCREENING RENEWAL FORM

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS: _____
Street Name Unit

_____
City Province Postal Code

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
MM/DD/YYYY

EMAIL: _____ **PHONE NUMBER:** _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Softball Canada. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to Softball Canada. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Softball Canada's Screening Committee instead of this form. I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE:** _____
MM/DD/YYYY

SIGNATURE: _____

APPENDIX E - REQUEST FOR VULNERABLE SECTOR CHECK

INTRODUCTION

Softball New Brunswick Inc. is requesting a Vulnerable Sector Check for INSERT INDIVIDUALS FULL NAME who identifies as a INSERT GENDER IDENTITY and was born on INSERT BIRTHDATE.

DESCRIPTION OF THE ORGANIZATION

Softball NB is a not-for-profit provincial organization for the sport of softball in New Brunswick.

DESCRIPTION OF ROLE

INSERT INDIVIDUALS FULL NAME will be acting as a INSERT INDIVIDUALS ROLE. In this role, the individual will have access to vulnerable individuals.

CONTACT INFORMATION

If more information is required from Softball New Brunswick, please contact the Softball New Brunswick Executive Director:

Cameron Rogers
executivedirector@softballnb.ca
902-219-4797

Signed: _____ Date: _____