

## Definitions

Terms in this policy suite are defined as follows:

- **2SLGBTQIA+** - the acronym used in a Canadian context, including by the Government of Canada, to represent 2-spirit, lesbian, gay, bisexual, transgender, queer, intersex, asexual and additional individuals who identify as part of sexual and gender-diverse communities.
- **ASICsibility** – the Elimination of physical, technological, cultural, and systemic barriers to participation for people of all abilities.
- **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.
- **Appeal Manager** – an individual, who may be any staff member, committee member, volunteer, director, or an independent party, who is appointed to oversee the *Appeal Policy*. The Appeal Manager will have responsibilities that include using decision making authority under by the *Appeal Policy*.
- **Appellant** – the party appealing a decision.
- **Athlete** – see definition of “Player” below.
- **Athlete Support Personnel** - any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating, or assisting a Player participating in or preparing for competition.
- **Bullying** – offensive behaviour and/or abusive treatment of an individual that typically, but not always, involves an abuse of power, which can occur in person or online (i.e., cyber-bullying).
- **CADP** – Refers to the [Canadian Anti-Doping Program](#), administered by the SIC.
- **Canadian Safe Sport Program (CCSP)** – Program administered by the SIC to establish an independent safe sport mechanism to implement the UCCMS.
- **SIC** – Refers to [Sport Integrity Canada](#). The SIC is the independent, national, not-for-profit, multisport organization with a focus on the integrity issues of safe sport, anti-doping, and competition manipulation, including the CSSP for all CSSP Sport Organizations at the national level that adopt the CSSP.
- **Code** – the *Code of Conduct and Ethics*.

- **Complainant** – an individual who makes a report of an incident, or a suspected incident, of alleged Maltreatment, Prohibited Behaviour or other misconduct that may be a violation of the standards described in Esport Canada’s policies, by-laws, rules or regulations, including the UCCMS.
  - **Council Member** – Refers to individual Provincial/Territorial organizations identified within the group National Councils as outlined in Esport Canada’s by-laws. A Council Member may also be a Provincial/Territorial Representative in jurisdictions where no recognized association exists, who holds this position temporarily until such a time that a complaint Provincial/Territorial Association exists in said jurisdiction.
  - **CSSP Participant** – an individual who is subject to the Canadian Safe Sport Program (CSSP) under the SIC and who has signed the required consent form. CSSP Participants may include a Player, a coach, an official, an Athlete Support Personnel, an employee, a Worker, an administrator, or a volunteer acting on behalf of, or representing Esport Canada or another CSSP Sport Organization in any capacity.
  - **CSSP Participant Consent Form** - Consent terms and conditions regarding the administration and enforcement of the UCCMS for CSSP Participants as provided under CSSP Rules, in force at any time.
  - **CSSP Sport Organization** – Any national sport organization, national multi-sport service organization, Canadian Sport Centre(s) and Institute(s) receiving funding from Sport Canada that has adopted the CSSP, pursuant to an agreement in effect with the SIC, or designate.
- a) **Days** – calendar days<sup>1</sup>.
- a) **Dispute Resolution Officer** – a panel of one or three people who are appointed by the Independent Third Party to decide on complaints that are assessed under Process #2 of the *Discipline and Complaints Policy*.
- b) **Diversity** – the presence and integration of a variety of individuals with different personal characteristics, particularly Under-Represented Groups, in a group or organization.

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

- c) **Equity** – fairness afforded to individuals with diverse personal characteristics regardless of those characteristics.
- d) **Event** – an activity or program that is hosted or sanctioned by Esport Canada or a Member, and which may include events that are either in-person or online, including social programs.
- e) **Gender** – The socially constructed roles, behaviours, activities, and attributes that a society assigns to masculinity or femininity.
- f) **Gender Expression** – The way an Organizational Participant 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. Others perceive a person's gender through these attributes. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time. A person's chosen name and pronoun are also common ways people express their gender.
- g) **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 behavioural characteristics (e.g., appearance, mannerisms). A person's gender identity may be the same as or different from their birth-assigned sex. There are lots of words people may use to talk about their gender identity and expression.
- h) **Harass or Harassment** – In addition to the definitions under the UCCMS, to harass or harassment is a course of vexatious comments or conduct against an Organizational Participant or group, which is known or ought reasonably to be known to be unwelcome. Harassing behaviours may also be Maltreatment. Types of behaviour that constitute harassment include, but are not limited to:
  - i. written or verbal abuse, threats, or outbursts;
  - ii. the display of visual material which is offensive or which one ought to know is offensive;
  - iii. unwelcome remarks, jokes, comments, innuendo, or taunts;
  - iv. leering or other suggestive or obscene gestures;
  - v. condescending or patronizing behaviour, which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - vi. practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
  - vii. any form of hazing;

- viii. unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. unwelcome sexual flirtations, advances, requests, or invitations;
  - x. physical or sexual assault;
  - xi. behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment; and/or
  - xii. retaliation or threats of retaliation against an individual who reports harassment.
- i) ***Inclusion*** – acceptance of individuals with diverse personal characteristics into a group or organization regardless of those characteristics.
  - j) ***Independent Third Party*** – the individual or entity retained by Esport Canada to receive reports and complaints, and to fulfill the identified responsibilities outlined in the *Discipline and Complaints Policy* and *Appeal Policy*, as applicable. This individual or entity must not be in a real or perceived conflict of interest or have a direct relationship with any of the Parties.
  - k) ***Internal Discipline Chair*** – an individual appointed by Esport Canada or the Independent Third Party to decide on matters that are assessed under Process #1 of the *Discipline and Complaints Policy*. The Internal Discipline Chair may be a director, head coach, staff member, or other individual affiliated with Esport Canada but must not be in a conflict of interest with any of the Parties.
  - l) ***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.
  - m) ***Maltreatment*** – as defined in the *UCCMS*.
  - n) ***Member*** – refers to an organization that forms part of the National Councils of Esport Canada, including Education National Council (EC EDU), Post-Secondary National Council (EC PS), and Competitive National Council (EC COMP), that is admitted to membership pursuant to Esport Canada's by-laws.
  - o) ***Minor*** – as defined in the *UCCMS*.
  - p) ***Minor Athlete(s)*** or ***Minor Player*** – an individual who is a Player participant in Esport Canada who is subject to the policies of Esport Canada and to this *Code* who is under the age of 19 years old.

- q) **National Team** – refers to a player or group of players formally recognized and selected by Esport Canada to represent Canada in international esports competitions.
- r) **National Team Player** – refers to Players who are selected to represent Canada nationally at international event(s), competing for a designated Esport Canada team.
- s) **Organizational Participant(s)** – refers to all categories of individual participants as defined in the by-laws of Esport Canada, who are subject to the policies, rules and regulations of Esport Canada, as well as all persons employed by, contracted by, or engaged in activities with, Esport Canada and its registrants, including, but not limited to, employees, contractors, Players, coaches, instructors, officials, volunteers, Athlete Support Personnel, managers, administrators, parents or guardians, committee members, or directors and officers. At times, and where identified, this term captures “Players” and “Spectators”.
- t) **Party or Parties** – the individual(s) or entities involved in a dispute.
- u) **Person in Authority** – any Organizational Participant who holds a position of authority within the Esport Canada including, but not limited to, coaches, instructors, officials, managers, Athlete Support Personnel, chaperones, committee members, or directors and officers.
- v) **Personal Information** – any information about an individual that relates to the person’s personal characteristics including, but not limited to gender, age, income, home address or phone number, ethnic background, family status, health history, and health conditions.
- w) **Player** – an Organizational Participant who is engaged in Esport Canada activities as a participating competitor and who is subject to the policies of Esport Canada. The term “Player” is synonymous with the term “Athlete” used throughout this policy suite for the purposes of adhering to relevant requirements from bodies such as, but not limited to, Sport Canada, the Canadian Olympic Committee, applicable International Federations and the International Olympic Committee.
- x) **Power Imbalance** – as defined in the UCCMS.
- y) **Prohibited Behaviour** – as defined in the UCCMS.
- z) **Prohibited Substance** – the term used within the CADP and WADA to refer to substances that are prohibited in sport.
- aa) **Prohibited Method** – the term used within the CADP and WADA to refer to

methods that are prohibited in sport.

- bb) ***Provisional Suspension*** – means that the Organizational Participant is barred temporarily from participating in in any capacity in any Event or activity of Esport Canada and its Members, or as otherwise restricted in their ability to participate in sanctioned activities pursuant to the *Discipline and Complaints Policy*, prior to the decision rendered in a hearing conducted pursuant to the policy.
- cc) ***Registered Testing Pool*** – refers to the designated group of elite athletes competing at national and/or international levels, are at a higher doping risk, and/or are athletes receiving funding from Sport Canada. Esport Canada Players can be subject to the Registered Testing Pool, and Esport Canada will inform Players if they are added to the pool.
- dd) ***Representatives*** – directors, officers, committee members, employees, athletes, coaches, officials, sport assistants, managers, trainers, volunteers, administrators, contractors operating within Esport Canada.
- ee) ***Respondent*** – the Party responding to the complaint or an appeal, as applicable.
- ff) ***SDRCC*** - Sport Dispute Resolution Centre of Canada.
- gg) ***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.
- hh) ***Sexual orientation*** - Sexual orientation describes human sexuality. A person’s gender identity is fundamentally different from and not related to their sexual orientation.
- ii) ***Social Media*** – the catch-all term that is applied broadly to new computer-mediated communication media such as, but not limited to, blogs, YouTube, Facebook, Instagram, Threads, Tumblr, Tik Tok, Snapchat, Reddit and Twitter/X.
- jj) ***Spectator*** – refers to any individual observing an Event hosted and/or sanctioned by Esport Canada, whether in-person or via digital platforms such as livestreams (via Twitch, YouTube Live, Kick, TikTok) or any other broadcast services that allow for the live viewing of Esport Canada content. Spectators may include friends, family, teammates, coaches, fans, or community members not directly participating in the match. Organizational Participants and/or Players who are taking part in an Esport Canada-sanctioned Event who are viewing the Event (and not actively participating in same) may be considered Spectators.

- kk) ***Transgender*** or ***Trans*** – An umbrella term that describes individuals with diverse gender identities and gender expressions that do not conform to the sex they were assigned at birth. It includes but is not limited to individuals who identify as transgender, cross dressers (adjective), Non-Binary, or gender non-conforming (gender diverse or genderqueer).
- ll) ***UCCMS*** - *Universal Code of Conduct to prevent and address Maltreatment in Sport*, as amended from time to time by the SIC.
- mm) ***Under-Represented Groups*** – includes women, individuals who identify as Indigenous, Black, or people of colour (IBPOC), children in low-income families, seniors, people with disabilities, newcomers to Canada, and members of the 2SLGBTQIA+ community.
- nn) ***Vulnerable Participant*** or ***Vulnerable Organizational Participant*** – as defined in the UCCMS.
- oo) ***WADA*** – refers to the World Anti-Doping Agency.
- pp) ***Worker*** – any person who performs work for Esport Canada including employees, managers, supervisors, temporary Workers, volunteers, student volunteers, part-time Workers, the Board of Directors, and independent contractors.
- qq) ***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.
- rr) ***Workplace Harassment*** – a course of vexatious comment or conduct against an Organizational Participant in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions.
- ss) ***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.