



## **ROWING BC SAFE SPORT POLICY MANUAL**

### **Introduction**

Rowing BC has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every Individual that is involved in the BC rowing community.

Rowing BC takes any situation involving misconduct or Maltreatment very seriously; for this reason, Rowing BC is committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or Maltreatment.

This Rowing BC Safe Sport Policy Manual contains policies for the entire BC rowing community, and they are applicable across BC and from the local level to the national team. 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, and they are also intended to prevent issues from arising by communicating expected standards of behaviour to all participants.

This Rowing BC Safe Sport Policy Manual has been prepared by Rowing Canada Aviron (RCA) and has been adopted by Rowing BC as the applicable safe sport policy in BC. Should any individuals involved with rowing programs, including Athletes, coaches, umpires, officials, volunteers, and parents/guardians of Athletes, wish to Report any instance of misconduct or Maltreatment, they must do so directly to RCA's Independent Third Party (referenced herein), who will then determine the appropriate forum and manner of addressing the complaint.

This Rowing BC Safe Sport Policy Manual incorporates the substantive aspects of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), created in consultation with key entities in Canada's national sport community. The UCCMS may continue to evolve in the foreseeable future, and this Rowing BC Safe Sport Policy Manual incorporates the key elements of the current version of the UCCMS. Going forward, this Rowing BC Safe Sport Policy Manual may be amended further, if modifications are made to the UCCMS, to ensure that the UCCMS is fully incorporated into Rowing BC's policy literature. In the event that the UCCMS is modified before amendments are made to this Rowing BC Safe Sport Policy Manual, any such modifications shall be incorporated in this Rowing BC Safe Sport Policy Manual by reference.

As a provincial sport organization, Rowing BC promotes and applies the BC Universal Code of Conduct (BCUCC) in accordance with applicable viaSport requirements. While the Rowing BC Safe Sport Policy Manual incorporates substantive aspects of the BCUCC, the BCUCC is also applicable to Rowing BC and the entire BC rowing community, and they should be read and applied collectively, not exclusively.

Certain policies found in this Rowing BC Safe Sport Policy Manual also apply to matters beyond safe sport (i.e., the Appeal Policy). As such, copies of these policies will also be published separately on Rowing BC's website so that they are accessible and applicable in all relevant areas.



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## ROWING BC

### DEFINITIONS

***The terms defined below shall apply to Rowing BC policies included in this Rowing BC Safe Sport Policy Manual.***

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 under the *Appeal Policy*.
2. “*Appellant*” – The Party appealing a decision pursuant to the *Appeal Policy*.
3. “*Appeal Manager*” – An individual appointed by Rowing BC who may be any staff member, committee member, volunteer, Director, or an independent third party, to oversee the administration of the *Appeal Policy*. The Appeal Manager’s responsibilities shall include those as described in the *Appeal Policy*.
4. “*Athlete*” – includes any Individual who is registered with Rowing BC as a rower.
5. “*Board*” – the Board of Directors of Rowing BC.
6. “*Case Manager*” – an independent individual appointed by Rowing BC, to fulfill the responsibilities described in the *Discipline and Complaints Policy*. In order to be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator.
7. “*Complainant*” – the Party making a complaint pursuant to the *Discipline and Complaints Policy*.
8. “*Complaint Resolution Officer*” – an individual appointed by Rowing BC to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*.
9. “*Criminal Record Check (CRC)*” – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
10. “*Days*” – calendar days<sup>1</sup>
11. “*Designated Event*” - An Event sanctioned by Rowing BC, or a Rowing BC or Member Organization-approved social event, at which the approving body has designated the Event as one where the consumption of alcohol and/or cannabis (as applicable) is permitted, in line with BC's "Serving It Right" guidelines.
12. “*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.
13. “*Event*” – An event sanctioned by Rowing BC, or a Rowing BC or Member Organization-approved social event.
14. “*Harassment*” – A vexatious comment (or comments) or conduct against an Individual or group of Individuals, irrespective of whether the comment or conduct occurs in person or via any other media, including Social Media, which is known or ought to reasonably be known to be unwelcome and distressing to the Individual or group of Individuals. Types of behaviour that constitute Harassment include, but are not limited to:
  - i. Written or verbal abuse, threats, or outbursts.
  - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts.

<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 statutory holiday, the period runs until the next day that is not a Saturday, a Sunday or a statutory 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 statutory 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.



- iii. 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.
- 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 endanger a person's physical or mental safety, or which may negatively affect performance.
- vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity which does not contribute to any Individual's positive development, but is required to be accepted as part of a team or group, regardless of the Individual's willingness to participate. This includes, but is not limited to, any ceremonial 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;
- viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. Deliberately socially isolating an Individual from a team;
  - x. Persistent sexual flirtations, advances, requests, or invitations;
  - xi. Physical or sexual assault;
  - xii. 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
- xiii. Retaliation or threats of retaliation against a person who Reports harassment to Rowing BC

For clarity, the above definition is designed to protect the physical and mental health of Individuals, or groups of Individuals. The definition is not intended to stifle or restrict commentary about Membership Organizations, or organizations affiliated with Rowing BC, that is made in good faith with a view to improving the operation and function of that organization.

15. "*Independent Third Party*" – the independent individual retained by RCA to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy* and *Investigation Policy*, as applicable.
16. "*Individuals*" – refers to all categories of members and/or registrants, as well as all people employed by, contracted by, or engaged in activities with Rowing BC or a Member Organization including, but not limited to, employees, contractors, Athletes, coaches, umpires, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members or Directors or Officers
17. "*Maltreatment*" – any intentional, non-consensual act by an Individual that results in harm or the potential for physical or psychological harm to another Individual, and includes any of the following behaviours or conduct:
  - i. Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an Individual. Psychological Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes:
    - a. Verbal Acts: verbally assaulting or attacking an Individual, including but not limited to:
      - i. unwarranted personal criticisms;
      - ii. body shaming;



- iii. derogatory comments related to an Individual's identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/disability);
- iv. comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening;
- v. the use of rumours or false statements about an Individual to diminish their reputation;
- vi. using confidential sport and non-sport information inappropriately.
- b. Written Acts: any written statement which, if it had been stated verbally, would have constituted a "Verbal Act" under (a) above.
- c. 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.
- d. Acts that Deny Attention or Support: acts that deny attention, or result in a lack of support or isolation, including but not limited to:
  - i. ignoring psychological needs or socially isolating an Individual repeatedly or for an extended period of time;
  - ii. abandonment of an Athlete as punishment for poor performance; or
  - iii. arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.
- ii. Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical or psychological well-being of an Individual. Physical Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes, without limitation:
  - a. Contact behaviours: including but not limited to deliberately punching, kicking, beating, biting, striking, strangling or slapping another, or deliberately hitting another with objects;
  - b. Non-contact behaviours: including but not limited to:
    - i. isolating an Individual in a confined space;
    - ii. forcing an Individual to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface);
    - iii. the use of exercise for the purposes of punishment without an athletic purpose;
    - iv. withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep;
    - v. denying access to a toilet;
    - vi. providing alcohol to an Individual under the legal drinking age;
    - vii. providing illegal drugs or non-prescribed medications to an Individual;
    - viii. encouraging or knowingly permitting an Athlete to return to training, on or off the water, prematurely following any injury and without the clearance of a medical professional; or
    - ix. encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
- iii. Sexual Maltreatment, including but not limited to: any act targeting an Individual's sexuality, gender identity or expression, that is committed, threatened, or attempted against that 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, and cyber harassment of a sexual nature.

- a. Examples of Sexual Maltreatment include, but are not limited to:
  - 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;
    2. anal penetration by a penis, object, tongue, or finger; and
    3. oral 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 of another, whether clothed or unclothed, or the intentional 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 Individual, or someone else with or on any of the body parts listed in (2) above.
    5. any intentional touching in a sexualized manner in light of the relationship, context, or situation.
- iv. Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an Individual'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 Individual's needs and requirements, not whether harm is intended or resulted from the behaviour.
  - a. Neglect, or acts of omission, include without limitation:
    - i. not providing an Athlete recovery time and/or treatment for a sport injury;
    - ii. not being aware of, and not considering, an Individual's physical or intellectual disability;
    - iii. not considering supervision of an Athlete during travel, training or competition;
    - iv. not considering the welfare of the Athlete when prescribing dieting or other weight control methods (e.g., caliper tests);
    - v. disregarding the use of Prohibited Substances or Methods by an Athlete;
    - vi. failure to ensure the safety of equipment or environment;
    - vii. allowing an Athlete to disregard sport rules, regulations, and standards; or
    - viii. subjecting Individuals to the risk of Maltreatment.
- v. Grooming: includes, without limitation, deliberate conduct by an adult Individual to sexualize a relationship with a Minor, and which includes making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards. Examples include:
  - a. A degrading remark;





- b. a sexual joke;
  - c. sexualized physical contact;
  - d. adult participants sharing rooms with a Minor who is not an immediate family member;
  - e. providing a massage or other purported therapeutic interventions with no specific training or expertise;
  - f. private Social Media and text communications;
  - g. sharing sexualized personal photographs;
  - h. shared use of locker rooms;
  - i. private meetings with no athletic purpose;
  - j. private travel; or
  - k. providing gifts.
- vi. Interference with or Manipulation of Process
- a. An adult Individual violates the *BC Universal Code of Conduct* and/or the *Code of Conduct and Ethics* by directly or indirectly interfering with a process instituted pursuant to the *Code* or any other policy of Rowing BC or a Member Organization 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 processes of Rowing BC or a Member Organization;
    - iv. harassing or intimidating (verbally or physically) any person involved in processes of Rowing BC or a Member Organization before, during, and/or following any proceedings;
    - v. publicly disclosing an Individual's identifying information, without the Individual's agreement, where a process has been initiated;
    - vi. failing to comply with any temporary or provisional measure, or final sanction;
    - vii. distributing or otherwise publicizing materials an Individual gains access to during any investigation or hearing, except as required by law or as expressly permitted by the Complainant or the administering authority; or
    - viii. influencing or attempting to influence another Individual to interfere with or manipulate the process.
- vii. Retaliation: An Individual shall not take an adverse action against any other Individual for making a good faith Report of possible Maltreatment or for participating in any process found in the policies of Rowing BC or a Member Organization. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the processes of Rowing BC or a Member Organization. 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.
- viii. Aiding and abetting:
- a. any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by an Individual. Aiding and abetting also includes, without limitation, knowingly:
    - i. allowing any person who has been suspended or is otherwise ineligible,



- for any reason, to be associated with sport or to coach or instruct Individuals;
- ii. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
  - iii. allowing any Individual to violate the terms of their suspension or any other sanctions imposed.
- ix. Failure by an adult Individual to Report actual or suspected Maltreatment of a Minor. This obligation is ongoing and is not satisfied by making an initial Report. Instead, this obligation includes Reporting to the Independent Third Party, on a timely basis, all relevant information that the adult Individual is or becomes aware of and requires making a direct Report to the Independent Third Party. Any Report shall include the personally identifying information of the potential Minor complainant (to the extent known), and any such information learned at a later date. Suspected Maltreatment of a Minor outside of the sport of rowing must be reported in accordance with the *BC Child Family and Community Service Act*.
- x. Failure to Report inappropriate conduct. Any Individual who suspects or becomes aware of another Individual's inappropriate conduct, even if it is not defined as Maltreatment, has a duty to Report such inappropriate conduct to the Independent Third Party. Persons in Authority who become aware of another Individual's inappropriate conduct have a responsibility for Reporting the concern to the Independent Third Party.
- xi. Intentionally filing a false allegation. An allegation is false if the events or conduct reported did not occur and the Individual making the Report knows that the events or conduct did not occur. An individual shall not be considered to have filed a false allegation in cases where the allegation cannot be substantiated by supporting evidence but was nevertheless filed in good faith.
18. "*Member Organizations*" – An organization that is registered and in good standing as described in the Rowing BC Bylaws.
19. "*Minor*" – any Individual who is under the age of nineteen (19) years old. Adult Individuals are responsible for knowing the age of a Minor.
20. "*Party/Parties*" – in the context of a complaint under the *Discipline and Complaints Policy*, the Complainant and Respondent; in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent and Affected Party (or Parties).
21. "*Person in Authority*" – Any Individual who holds a position of authority within Rowing BC or a Member Organization, including, but not limited to, coaches, umpires, officials, managers, support personnel, chaperones, committee members, and Directors or Officers. In addition to the responsibilities described for Individuals in the *BC Universal Code of Conduct* and/or the *Code of Conduct and Ethics*, a Person in Authority shall be responsible for knowing what constitutes Maltreatment.
22. "*Power Imbalance*" - A Power Imbalance may exist where, based on the totality of the circumstances, an Individual has supervisory, evaluative, or other authority over another Individual. 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 direct coach-Athlete relationship terminates 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

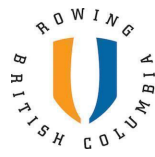


relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).

23. *"Prohibited Substance or Method"* - A substance or method which is classified as prohibited by the World Anti-Doping Agency, the list of which is found at <https://www.wada-ama.org/en/content/what-is-prohibited>
24. *"Reporting (or Report)"*: The provision of information in writing by any person or an Individual to a relevant independent authority (the Independent Third Party or position 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.
25. *"Respondent"* – the Party responding to a complaint or investigation. In the case of an appeal, the Respondent is the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
26. *"Sexual Harassment"* – A vexatious comment (or comments) or conduct against an Individual of a sexual nature directed at a person's sex, sexual orientation, gender identify or gender expression, where the comment or course of conduct is known or ought reasonably to be known to be unwelcome. This Includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual such that there is a Power Imbalance in the relationship. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
  - i. Sexist jokes;
  - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
  - iii. Offering a benefit in exchange for a sexual favour;
  - iv. Demanding hugs;
  - v. Bragging about sexual ability;
  - vi. Leering (persistent sexual staring);
  - vii. Sexual assault;
  - viii. Display of sexually offensive material;
  - ix. Distributing sexually explicit messages or attachments such as pictures or video files;
  - x. Sexually degrading words used to describe an Individual;
  - xi. Unwelcome inquiries into or comments about an Individual's gender identity or physical appearance;
  - xii. Inquiries or comments about an Individual's sex life;
  - xiii. Persistent, unwanted attention after a consensual relationship ends;
  - xiv. Persistent unwelcome sexual flirtations, advances, comments, or propositions;  
and
  - xv. Persistent unwanted contact.
27. *"Social Medium (Social Media)"* – A form of electronic communication including websites for social networking, microblogging or widespread dissemination of information such as blogs, YouTube, Facebook, Instagram, Tumblr, Flickr, Weibo, Snapchat, Tik-Tok, and Twitter. Social Media is the plural of Social Medium representing all the platforms broadly.
28. *"Vulnerable Individuals"* – Includes Children / Youth (minors) and Vulnerable Adults (people who, because of age, disability or personal circumstances, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by a Person in Authority);



29. “*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
30. “*Workplace*” - Any place where Events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of Rowing BC and Member Organizations, work-related social functions, work assignments outside offices, work-related travel, the training, and competition environment (wherever located), and work-related conferences or training sessions
31. “*Workplace Harassment*” – Vexatious comment(s) 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:
  - i. Bullying;
  - ii. Workplace pranks, vandalism, bullying or hazing;
  - iii. Repeated offensive or intimidating phone calls, text messages or emails;
  - iv. Inappropriate sexual touching, advances, suggestions or requests;
  - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - vi. Psychological abuse;
  - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings where invitation to the gathering would be expected to be universal;
  - viii. Deliberately withholding information that would enable a person to do their job, perform or train;
  - ix. Sabotaging someone else’s work or performance;
  - x. Gossiping or spreading malicious rumours;
  - xi. Intimidating words or conduct (offensive jokes or innuendos); and
  - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
32. “*Workplace Violence*” – the use, 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:
  - Verbal or written threats to attack;
  - Sending or leaving threatening notes, text messages or emails;
  - Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - Wielding a weapon in a Workplace;
  - Hitting, pinching or unwanted touching which is not accidental;
  - Dangerous or threatening horseplay;
  - Physical restraint or confinement;
  - Blatant or intentional disregard for the safety or wellbeing of others;
  - Blocking normal movement or physical interference, with or without the use of equipment;



- Sexual violence; and
- Any attempt to engage in the type of conduct outlined above.