



Code of Conduct and Ethics

(the “Code”)

OBA recognizes the development and introduction of the [Universal Code of Conduct to Prevent and Address Maltreatment in Sport](#) (UCCMS). The OBA has adopted the UCCMS, as amended from time to time, which shall be incorporated into the Code by reference as if set out in full herein.

Any modifications or amendments made to the UCCMS shall come into effect immediately upon their adoption by the SDRCC and automatically without the need for any further action by OBA.

Purpose

1. The purpose of the *Code* is to ensure a safe and positive environment within the programs, business, activities, and events of OBA by making all Organizational Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with OBA’s core values, mission and policies.
2. OBA and its Organizational Participants support equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.
3. All Organizational Participants are expected to conduct themselves in a manner consistent with the True Sport principles.

Application of this Code

4. The *Code* applies to any Organizational Participant’s conduct during the programs, business, activities, and events of OBA and Member Clubs including, but not limited to competitions, practices, evaluations, treatment, or consultations (i.e., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings. This includes any activities related to OBA sanctioned exhibition games, tournaments, and leagues such as the Ontario Basketball League.
5. The *Code* also applies to Organizational Participants’ conduct outside of the programs, business, activities, and events of OBA and Member Clubs when such conduct adversely affects OBA’s relationships (and the work and sport environment) or is detrimental to the image and reputation of OBA. Such applicability will be determined by OBA at its sole discretion.
6. In addition, the *Code* will apply to breaches that occur when the Organizational Participants involved interact 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 Organizational Participant(s).

7. The *Code* applies to Organizational Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of the *Code* occurred when the Organizational Participants were active in the sport.

Prohibited Behaviours

8. All Organizational Participants must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and the Code.
9. All Organizational Participants are required to follow other conduct standards established by the OBA and as amended from time to time.
10. Organizational Participants are responsible for knowing what actions or behaviours constitute Prohibited Behaviours and Maltreatment.
11. Prohibited Behaviours under the UCCMS include, but are not limited to:
 - a) Physical Maltreatment
 - b) Psychological Maltreatment
 - c) Neglect
 - d) Sexual Maltreatment
 - e) Grooming
 - f) Boundary Transgressions
 - g) Discrimination
 - h) Failing to Report
 - i) Aiding and Abetting
 - j) Retaliation
 - k) Interference with or Manipulation of Process
 - l) False Reports

In addition to the Prohibited Behaviours as defined by the UCCMS in Appendix “A”, the *Code* sets out other expected standards of behaviour and conduct for all Organizational Participants and any failure to respect these expected standards of behaviour by an Organizational Participants may constitute a breach of the *Code*. The following behaviours also constitute breaches of the *Code*:

- a) Bullying
- b) Harassment
- c) Workplace Harassment
- d) Workplace Violence



Responsibilities of all Organizational Participants

12. All Organizational Participants have a responsibility to:
 - a) refrain from any behaviour that constitutes Maltreatment and Prohibited Behaviour under the *Code*, the UCCMS and other conduct policies established by OBA;
 - b) maintain and enhance the dignity and self-esteem of other Organizational Participants 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 other Organizational Participants;
 - iii. consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. consistently treating individuals fairly and reasonably; and
 - v. ensuring adherence to the rules of the sport and the spirit of those rules.
 - c) refrain from the use of power or authority to coerce another person to engage in inappropriate activities;
 - d) refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or Events of OBA;
 - e) in the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event;
 - f) in the case of individuals who are not Minors, not consume cannabis in the Workplace or in any situation associated with the Events of OBA (subject to protections under applicable human rights legislation), not consume alcohol during training, competitions, or in situations where Minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations;
 - g) when driving a vehicle:
 - i. have a valid driver's license;
 - ii. not be under the influence of alcohol or illegal drugs or substances;



- iii. have valid car insurance; and
- iv. refrain from engaging in any activity that would constitute distracted driving.
- h) respect the property of others and not wilfully cause damage;
- i) promote sport in the most constructive and positive manner possible;
- j) refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a para-classification and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a para-classification. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages;
- k) refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a competition and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages;
- l) adhere to all applicable federal, provincial/territorial, municipal and host country laws; and
- m) comply, at all times, with the By-laws, policies, procedures, and rules and regulations of OBA, as applicable and as adopted and amended from time to time.

Directors, Committee Members, and Staff

13. In addition to section 10 (above), directors, committee members, and staff of OBA have additional responsibilities to:
- a) function primarily as a director, committee member or staff member of OBA (as applicable) and ensure to prioritize their loyalty to OBA (and not to any other organization or group) while acting in this role. Certain obligations of directors, such as confidentiality, continue after the end of a director's or committee member's term;
 - b) act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of an Organizational Participant's confidence;



- c) ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities;
- d) comply with their obligations under the Screening Policy, including understanding ongoing expectations under the Screening Policy and fully cooperating in the screening process;
- e) conduct themselves openly, professionally, lawfully and in good faith;
- f) be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making on behalf of OBA;
- g) exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws;
- h) maintain required confidentiality of organizational information;
- i) commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings; and
- j) have a thorough knowledge and understanding of all governance documents.

Athlete Support Personnel

- 14. In addition to section 10 (above), Athlete Support Personnel have many additional responsibilities.
- 15. Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unconsciously.
- 16. Athlete Support Personnel will:
 - a) avoid any behaviour that abuses the Power Imbalance inherent in the coaching position of the Athlete Support Personnel;
 - b) ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the 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 Athlete Support Personnel of a training camp, provincial/territorial team, or national team should an Athlete qualify for participation with one of these programs;
- f) comply with all established responsibilities and obligations as set out by the Athlete Support Personnel's professional governing association or order, if any;
- g) accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate;
- h) provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete;
- i) act in the best interest of the Athlete's development as a whole person;
- j) comply with their obligations under the Screening Policy, including understanding ongoing expectations under this policy and fully cooperating in the screening process;
- k) under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of Minors, alcohol, cannabis, and/or tobacco;
- l) respect competitor Athletes and, in dealings with them, not encroach upon topics or take 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) when a Power Imbalance exists, not engage in a sexual or intimate relationship with an Athlete of any age;
- n) avoid compromising the present and future health of Athletes by communicating and cooperating with sport science and sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments, including when discussing optimal nutritional strategies or weight control methods for junior-aged Athletes and above (18 + years of age). Dieting and other weight control methods are not permitted for Athletes 17 years of age and younger;



- o) recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Organizational 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 Organizational Participants who are in a vulnerable or dependent position and less able to protect their own rights; and
- p) dress professionally and use appropriate language, considering the audience being addressed (e.g., the age/maturity of the individuals).

Athletes

17. In addition to section 10 (above), Athletes have additional responsibilities to:
- a) follow their athlete agreement (if applicable);
 - b) report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;
 - c) participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations;
 - d) 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;
 - e) adhere to any rules and requirements regarding clothing, professionalism, and equipment; and
 - f) act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by Athlete Support Personnel.

Officials

18. 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) not publicly criticize other Organizational Participants;
 - c) adhere, at all times, to the rules of their international federation and any other sporting organization that has relevant and applicable authority;



- d) place the safety and welfare of competitors, and the fairness of the competition above all else;
- e) strive to provide a fair sporting environment and, at no time, engage in Maltreatment or Prohibited Behaviour toward any person on the field of play;
- f) respect the terms of any agreement that they enter with OBA;
- g) work within the boundaries of their position's description while supporting the work of other officials;
- h) act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations;
- i) take ownership of actions and decisions made while officiating;
- j) respect the rights, dignity, and worth of all Organizational Participants;
- k) act openly, impartially, professionally, lawfully, and in good faith;
- l) be fair, equitable, considerate, independent, honest, and impartial in all dealings with others;
- m) respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Organizational Participants;
- n) comply with their obligations under the Screening Policy, including understanding ongoing expectations under this policy and fully cooperating in the screening process;
- o) honour all assignments, unless unable to do so by virtue of illness or personal emergency and, in these cases, inform a supervisor or OBA at the earliest possible time;
- p) when writing reports, set out the actual facts to the best of their knowledge and recollection; and
- q) dress in proper attire for officiating.



Parents/Guardians and Spectators

19. In addition to section 10 (above), parents/guardians and spectators 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 an Organizational Participant for making a mistake during a competition or practice;
 - d) respect the decisions and judgments of officials and encourage Athletes to do the same;
 - e) support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm;
 - f) respect and show appreciation to all competitors, and to coaches, officials and other volunteers;
 - g) never harass Organizational Participants, competitors, coaches, officials, parents/guardians, or other spectators; and
 - h) never encourage, aid, covert up or assist an Athlete in cheating through doping, competition manipulation or other cheating behaviors.

Affiliate Members

20. Affiliate Members must:
- a) adhere to all OBA governing documents and, where necessary, amend their own rules to comply or align with those of OBA;
 - b) pay all required dues and fees by the prescribed deadlines;
 - c) ensure that all Athletes and coaches participating in sanctioned competitions and events of OBA are registered and in good standing;
 - d) appropriately screen prospective employees and Athlete Support Personnel to help ensure Athletes have a healthy and safe sport environment;



- e) ensure that any possible or actual misconduct is investigated promptly and thoroughly;
- f) impose appropriate disciplinary or corrective measures when misconduct has been substantiated;
- g) advise OBA immediately of any situation where a complainant has publicized a complaint in the media (including social media);
- h) provide OBA with a copy of all decisions rendered pursuant to the Organization's policies for complaints and appeals;
- i) implement any decisions and disciplinary sanctions imposed pursuant to OBA's discipline process;

Anti-Doping¹

- 21. OBA will respect any sanction imposed on an individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules.
- 22. All Organizational Participants shall:
 - a) abstain from the non-medical use of medications or drugs or the Use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force;
 - b) refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an Anti-Doping Rule violation and is serving a period of Ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules;
 - c) cooperate with any Anti-Doping Organization that is investigating any anti-doping rule violation(s);
 - d) refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes tampering as defined in the Canadian Anti-Doping Program; and

¹ Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.



- e) all Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under OBA's jurisdiction.

Retaliation, Retribution or Reprisal

- 23. It is a breach of the Code for any Organizational Participant to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that Organizational Participant from filing, in good faith, a complaint pursuant to any OBA policy.
- 24. It is also a breach of the Code for an Organizational Participant to file a complaint for the purpose of retaliation, retribution, or reprisal against any other Organizational Participant.
- 25. Any Organizational Participant found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

Privacy

- 26. The collection, use and disclosure of any personal information pursuant to this policy is subject to OBA's *Privacy Policy*.

Definitions

Terms in this Code are defined as follows:

- a) **Athlete** – an individual who is an athlete participant in OBA who is subject to the policies of OBA and to the *Code of Conduct and Ethics* and other conduct standards
- b) **Athlete Support Personnel** - any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition
- c) **Bullying** – offensive behaviour and/or abusive treatment of an Organizational Participant that typically, but not always, involves an abuse of power
- d) **Event** – an event sanctioned by OBA or a member, and which may include a social Event.
- e) **Harass or Harassment** – 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.
- f) **Organizational Participant(s)** – refers to all categories of individual members and/or registrants defined in the by-laws of OBA who are subject to the policies, rules and regulations of OBA, as well as all persons employed by, contracted by, or engaged in activities with, OBA including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, judges, Athlete Support Personnel, managers, administrators, parents or guardians, honorary members, spectators, committee members, or directors and officers



- g) **OSIC** – Office of the Sport Integrity Commissioner, an independent division of the SDRCC which comprises the functions of the Sport Integrity Commissioner
- h) **Person in Authority** – any Organizational Participant who holds a position of authority within the Organization including, but not limited to, coaches, instructors, officials, managers, Athlete Support Personnel, chaperones, committee members, or directors and officers
- i) **Power Imbalance** – as defined in the *UCCMS*
- j) **UCCMS** - *Universal Code of Conduct to prevent and address Maltreatment in Sport*, as amended from time to time by the SDRCC
- k) **UCCMS Participant** – an individual affiliated with a Program Signatory as designated by the Program Signatory and who has signed the required consent form. UCCMS Participants may include an Athlete, a coach, an official, an Athlete Support Personnel, an employee, a contractual Worker, an administrator, or a volunteer acting on behalf of, or representing the Program Signatory in any capacity.
- l) **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.
- m) **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.
- n) **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