

NYAC CODE OF CONDUCT

1. Purpose

The purpose of this Code of Conduct and Ethics ("Code") is to ensure a safe and positive environment within NYAC programs, activities and events, by making all individuals aware that there is an expectation at all times of appropriate behaviour consistent with the values of NYAC as described below.

NYAC is committed to providing an environment in which all individuals are treated with respect. Individuals are expected to conduct themselves at all times in a manner consistent with the values of NYAC that include fairness, integrity, open communication and mutual respect.

Conduct that violates this Code may be subject to sanctions or disciplinary measures pursuant to NYAC's policies related to discipline and complaints.

2. Application of this Code

This Code applies to conduct that may arise during the course of NYAC business, activities and events, including but, not limited to, its office environment, competitions, practices, training camps, travel, and any meetings of or on behalf of NYAC.

This Code also applies to the conduct of individuals that may occur outside of NYAC's business activities, events and meetings associated with the club when such conduct adversely affects relationships within NYAC and its work and sport environment and is detrimental to the image and reputation of NYAC.

3. General Responsibilities

All individuals associated with NYAC have a responsibility to:

- a) maintain and enhance the dignity and self-esteem of NYAC members and other Individuals by:
 - i. demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, gender, ancestry, color, ethnic or racial origin, nationality, national origin, sexual orientation, age, marital status, religion, religious belief, political belief, disability or economic status;
 - ii. focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees and members;
 - iii. consistently demonstrating sportsmanship, sports leadership and ethical conduct;
 - iv. acting, when appropriate, to prevent or correct practices that are unjustly discriminatory;
 - v. consistently treating individuals fairly and reasonably; and,
 - vi. ensuring that the rules of swimming, and the spirit of such rules, are adhered to.
- b) refrain from any behaviour that constitutes harassment, where harassment is defined as comment or conduct that is unwelcome or should be known to be unwelcome, including comments or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading or malicious. 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

- in the circumstances;
 - iii. unwelcome remarks, jokes, comments, innuendos 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
 - ix. 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; or
 - xii. retaliation or threats of retaliation against an individual who reports harassment to NYAC.
- c) Refrain from any behaviour that constitutes sexual harassment, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
- i. sexist jokes;
 - ii. Display of sexually offensive material;
 - iii. sexually degrading words used to describe a person;
 - iv. inquiries or comments about a person's sex life;
 - v. unwelcome sexual flirtations, advances, propositions, requests or invitations;
 - vi. persistent unwanted contact; and
 - vii. sexual assault.
- d) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, NYAC adopts and adheres to the Canadian Anti-Doping Program. Any infraction of such Program shall be considered an infraction of this Code and shall be subject to disciplinary action, and possible sanction, pursuant to NYAC's Discipline Policy. NYAC will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by NYAC or any other sport organization.
- e) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development or supervision of the sport of competitive swimming, who is under 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)..
- f) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
- g) In the case of adults, avoid consuming alcohol in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcoholic beverages in adult inclusive social situations associated with NYAC events.
- h) Respect the property of others and not wilfully cause damage.
- i) Promote swimming in the most constructive and positive manner possible.

- j) Adhere to all federal, provincial, municipal and host country laws.
- k) Comply at all times with the bylaws, policies, procedures, codes, rules and regulations of NYAC, as adopted and amended from time to time.

4. The Board, Committee Members and Staff

In addition to general responsibilities, the board, committee members and staff have a responsibility to:

- a. respect the rights, dignity and worth of all persons with whom they engage on behalf of NYAC;
- b. be responsible for, first and foremost, the welfare of NYAC functioning primarily as a member of the Board of Directors and/or committee(s) of NYAC, not as a member of any other particular constituency;
- c. conduct oneself openly, professionally, lawfully and in good faith in the best interests of NYAC;
- d. behave with decorum appropriate to both circumstance and position;
- e. be fair, equitable, considerate and honest in all dealings with others;
- f. exercise due diligence in upholding one's fiduciary responsibility to NYAC, including but not limited to preferring the best interests of the club over their own personal beliefs;
- g. respect the confidentiality appropriate to issues of a sensitive nature;
- h. ensure that all Members are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight;
- i. respect the decisions of the majority and resign if unable to do so;
- j. commit the time to attend meetings and to be diligent in ones preparation for and participation in discussions at such meetings;
- k. have a thorough knowledge and understanding of all NYAC governance documents including, but not limited to, the following documents:
 - (i) NYAC by-Laws
 - (ii) NYAC policies and procedures
 - (iii) roles and responsibilities of Board Members
 - (iv) the most recent Club Manual
 - (v) completed confidentiality forms; and,
- l. meet the highest standards of integrity and suitability, including but not limited to such considerations established by having the required police check and/or vulnerable sector check clearance, so that the swimming community is satisfied it has minimized the risk of an unsafe environment.

5. The Club

In addition general responsibilities, the club has a responsibility to:

- a. deliver its services in compliance with its by-Laws, policies, rules, codes, regulations and procedures
- b. ensure that all athletes and coaches participating in sanctioned competitions are registered Members, in Good Standing, of NYAC.
- c. ensure that all coaches join Swimming Canada (SNC), Swim Ontario (SO) and the Canadian Swimming Coaches and Teachers Association (CSCTA) as coach members.

- d. operate on an ethical foundation including, but not limited to, engaging only authorized coaching personnel and non-sanctioned athletes, and ensuring all participants are properly registered with the club.

6. Parents/Guardians and Spectators

In addition to general responsibilities, parents, guardians and spectators have a responsibility to:

- a. encourage athletes to play by the rules and resolve conflicts without resorting to hostility or violence;
- b. never ridicule a participant for a poor performance or practice; provide positive comments that motivate and encourage participants' continued efforts;
- c. respect the decisions and judgments of officials and encourage athletes to do the same;
- d. not unduly question a referee, officials' or NYAC staffs' judgment or honesty; any question must follow the officials protocol or NYAC policy procedure and/or code following a mandatory 24 hour 'cooling off period';
- e. respect and show appreciation to all competitors and to the coaches, officials, referees and other volunteers who give their time to the sport; and,
- f. keep off of the competition area and not interfere with events or calls.

7. Athletes

In addition to general responsibilities, athletes have a responsibility to:

- a. report any medical problems in a timely fashion, where such problems may limit the athlete's ability to travel, train or compete;
- b. participate and appear on time, well-nourished and prepared to participate to one's best abilities in all competitions, practices, training sessions, events, activities or projects;
- c. properly represent oneself and not attempt to enter a competition for which one is not eligible, by reason of age, classification or other reason;
- d. adhere to NYAC's rules and requirements regarding clothing and equipment;
- e. at all times, present oneself in a positive manner to all other athletes, Members and coaches;
- f. show respect for, and co-operate with, meet management, pool management, team staff, fellow competitors and people in authority positions within NYAC;
- g. encourage other athletes to play by the rules and to resolve conflicts without resorting to hostility or violence;
- h. never ridicule a participant for a poor performance or practice. Provide positive comments that motivate and encourage participants continued effort;
- i. respect and show appreciation to all competitors, coaches, officials and other volunteers who give their time to the sport; and,
- j. when competing, abide at all times by NYAC's Code of Conduct.

8. Coaches

In addition to general responsibilities, coaches have a responsibility to:

The athlete-coach relationship is a privileged one and plays a critical role in the personal as well as 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 at all times:

- a. be registered with Swimming Canada (SNC), Swim Ontario (SO) and the Canadian Swimming Coaches and Teachers Association (CSCTA) as coach members in good standing.
- b. meet the highest standards of integrity and suitability, including, but not limited to, such considerations established by having the required police check and/or vulnerable sector check clearance, so that club is satisfied it has minimized the risk of an unsafe environment.
- c. ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability and fitness level of athletes, and educating athletes as to their responsibilities in contributing to a safe environment;
- d. prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using harmful training methods;
- e. 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 problems;
- f. avoid any self-induced disability, such as the use of intoxicants or drugs, which interferes with or prejudices the one's ability to provide services to the athlete.
- g. report any ongoing criminal investigation, bail conditions and convictions, including those for violence; child pornography; the possession, use or sale of any illegal substance or anti-doping activity.
- h. never provide, promote or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances pursuant to the Canadian Anti-Doping Policy and, in the case of minors, alcoholic beverages and/or tobacco;
- i. consider paramount the welfare and provision of services for athletes;
- j. accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate and as opportunities arise;
- k. recognize the role and importance of parents being involved in decisions of importance of athletes who are minors;
- l. respect the responsibilities and preferences of other coaches and interact in a professional manner;
- m. respect all other teams, and athletes from other teams, and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless first receiving approval from the coach who is responsible for the team or athlete(s) involved.
- n. react to requests by athletes and parents that relate to the joining of another club in an objective manner, with the athlete's welfare always being the primary concern.
- o. not to engage in a sexual relationship with any athlete under their authority.
- p. support the program and applicable coaching staff where an athlete has qualified for a training camp, provincial team, national team, or other such competitive opportunity.
- q. give athletes the opportunity to contribute to proposed training and performance standards as appropriate. Coaches will provide athletes, and the parents/guardians of athletes who are minors, with the information necessary to be involved in the decisions that affect the

- athlete and refrain from intervening in personal affairs that are outside the generally accepted jurisdiction of a coach;
- r. act in the best interest of the athlete's development as a whole person;
 - s. 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;
 - t. dress professionally, neatly and inoffensively;
 - u. use inoffensive language, taking into account the audience being addressed;

9. Officials

In addition to general responsibilities, officials have a responsibility to:

- a. honour a commitment to officiate at a meet. If, for any reason, one is unable to attend, let the person in charge of officials know as soon as possible;
- b. be fair and objective;
- c. avoid situations for which a conflict of interest may arise;
- d. make independent judgments;
- e. have a positive attitude when going to work at a competition, time trial, and swim meet;
- f. wear the required the clothing colours designated by the meet management
- g. be at the pool and ready to work according to the requirements of the job;
- h. report promptly to the officials' area to sign in and remain in the sign-in area until the briefing has been completed;
- i. accept the assignment one has been given at the meet;
- j. remain at your assigned station for the entire session. If you need a replacement for any reason, arrangements must be made with the referee before leaving your post;
- k. know the rules thoroughly as they apply to your assigned position;
- l. refrain from coaching or cheering while working;
- m. respect the final decision of the referee - he or she has the right to overturn your decision; and,
- n. do not lecture a coach or debate disqualifications with a swimmer while working the deck. Remain composed and professional at all times. Refer any questions or problems that come your way to the referee.
- o. refrain from using digital devices or other distractions while working.

Adopted May 24th, 2016