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I. Definitions

The following terms have these meanings in this Policy:

- “CAS” refers to Canada Artistic Swimming;
- “*Club Manager*” means a manager responsible for handling the business matters of the club, including managing the budget, organizing promotional events, hiring coaches and negotiating contracts, and all persons with a financial interest in the club. Board and committee members for not-for-profit organizations are not generally considered Club Managers under this Policy;
- “*Coach*” means any person who instructs figures or routines on a regular basis;
- “*Complaint*” means any report of a potential, suspected or actual breach of the Conduct Policy that is formalized in writing and is signed either by the complainant or by a Person in Leadership at OAS, if OAS is bringing forward the Complaint on its own or on the complainant’s behalf;
- “*Confidential Information*” means information known to the OAS Participant by virtue of his or her connection to OAS, whether or not marked “confidential”;
- “*Family Member*” includes a spouse, partner, natural or adoptive parent, grandparent, child or step-child, sibling, aunt, uncle, nephew or niece, the parents or close relatives of a spouse or partner, people who are in an intimate relationship and people who permanently reside together or are financially dependent on each other;
- “*Including*” means including but not limited to;
- “*Interested OAS Participants or Interested Officials*” means OAS Participants or Officials with a conflict of interest;
- “*Member*” means the Regional Training Centre, Ontario and any Competitive, Recreational, Scholastic, University synchronized swimming club or AquaGo! or Trillium awards program provider;
- “*Minor athletes*” refers to athletes under 18 years of age;
- “OAS” refers to Ontario Artistic Swimming;
- “*OAS Activity*” means all OAS business and activities over which OAS has jurisdiction;
- “*OAS Participant*” means all persons engaged in any paid or volunteer capacity with OAS or otherwise under the jurisdiction of OAS;
- “*Officials*” refers to all judges including practice judges, referees and scorers;
- “*OHSA*” refers to the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1;
- “*OOC*” refers to the Ontario Officials Committee;
- “*Parents*” refers to parents or guardians;

- “*Person in Leadership*” means the Executive Director or any OAS board member;
- “*President*” refers to the President of OAS;
- “*Registrant*” means any club or individual that has fulfilled the requirements of registration as required by OAS and has paid any associated registration fees to OAS. OAS uses the Registrant categories and definitions established by CAS. A complete list of Registrant categories can be found in the *CAS Registration Policy*;
- “*Related Party*” includes a Family Member, Coach or Team Manager or a private corporation controlled by any of these individuals; and
- “*Vulnerable person*” refers to persons who, because of age, disability, or other circumstances, whether temporary or permanent 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 a position of authority or trust relative to them including children, youth and people with physical, developmental, or other disabilities.

II. Application

This Policy applies to all OAS Participants, which include all persons engaged in any paid or volunteer capacity with OAS or otherwise under the jurisdiction of OAS. OAS Participants include:

- All OAS Members or Registrants;
- OAS directors, officers, committee members and volunteers;
- OAS employees, anyone under contract with OAS, and anyone attending the OAS offices or other OAS workplaces for work or training-related purposes;
- All athletes eligible for selection to, or forming part of, any team participating in competitions or events over which OAS has jurisdiction; and
- All persons working with those teams or athletes, including coaches, medical and paramedical personnel and other support persons.

This Policy applies at all times, wherever the OAS Activity takes place, which includes the OAS offices as well as external locations in Canada and abroad and includes all activities over which OAS has jurisdiction. OAS Activity includes:

- Meetings of the OAS board of directors and all OAS committee meetings;
- OAS Annual Meetings, Special Meetings or OAS hosted conferences or clinics;
- All activities related to the Regional Training Centre (RTC), Ontario;
- Participation in national or international competitions including related training and organized group travel;
- All OAS hosted meets; and

- All OAS hosted selection and assessment processes and regular training or practice time, whether inside or outside Canada.

This Policy also applies to the conduct of OAS Participants outside of OAS Activity when such conduct adversely affects relationships within OAS and its work and sport environment or is detrimental to the image and reputation of OAS. Such applicability will be determined by OAS at its sole discretion.

III. Policy and Purpose

OAS Participants (as defined in Section I.) are expected to conduct themselves in all matters involving or impacting OAS, and where they may be seen to be representing OAS, with integrity and in a manner, that is consistent with OAS values and the highest standards of behaviour upon which OAS's image and reputation rests. To this end, OAS Participants will:

- Acquaint themselves with OAS's mission, vision, values, policies and rules, and behave accordingly;
- Adhere to all federal, provincial, municipal and host country laws;
- Not participate in, condone, or engage in dishonesty, fraud, deceit, misrepresentation or illegal activities;
- Not knowingly disseminate false or misleading information about OAS or an OAS Member or Participant;
- Act, when appropriate, to correct or prevent practices that are unjust, discriminatory or otherwise in contravention of this Policy;
- Cooperate with internal or external investigations of concerns of possible misconduct under this Policy by providing honest, accurate, complete and timely information;
- Act in a responsible manner in relation to the media and content of personal websites and information posted on social media sites including Facebook, Twitter, Instagram and YouTube;
- Provide a healthy and safe work and sport environment for the athlete and for themselves;
- Complete police records check and vulnerable sector screening as required by OAS; and
- Complete the Respect in Sport Training Program as required by OAS.

The purpose of this Conduct Policy is to foster a positive, safe and respectful work and sport environment where:

- OAS values and expected standards of behaviour are understood, communicated and lived by all OAS Participants;
- There is adherence to all applicable laws, regardless of where the OAS Activity (as defined in Section I.) takes place; and

- The conduct of OAS Participants is ethical, transparent and fosters confidence in the integrity of OAS.

The purpose of this Policy is also:

- To define certain behaviour that is not permitted so that it is known to OAS Participants and avoided;
- To ensure the decisions and actions of OAS Participants are consistent with OAS's vision and values.

IV. OAS Commitment to Non-retaliation

OAS Participants are expected to raise any concerns about behaviour, to report any misconduct and to work together to ensure a positive, safe and respectful work and sport environment. There will be no retaliation for speaking up and making a truthful report of actual or possible misconduct, for participating in an investigation, or for exercising our legal rights.

It is a violation of this Policy if an OAS Participant knows of misconduct but takes no action to intervene on behalf of the athlete, employee, volunteer or other OAS Participant. Failure to report such misconduct may result in disciplinary action.

V. Behaviour Expectations and Standards

A. Anti-Doping

CAS has adopted the Canadian Anti-Doping Program. As a Provincial Sport Organization registered with CAS, OAS and its Members adhere to Canada's anti-doping rules. OAS strictly prohibits the use of restricted drugs or performance-enhancing drugs and methods. OAS is also opposed to the use of nutritional supplements and discourages their use by athletes.

All OAS Participants have a responsibility to:

- Respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by OAS or any other sport organization; and
- 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 or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport.

B. Confidentiality

OAS Participants may have access to Confidential Information (as defined in Section I.). Confidential Information includes:

- Personal information about OAS Participants as defined in the OAS *Privacy Policy*;
- Information that is not known or available to the OAS Participant on a non-confidential basis prior to its disclosure to the OAS Participant including financial information, strategic plans, intellectual property, and information related to the programs, business or affairs of OAS or any OAS Member or OAS Participant; and
- Information that is not known or available to the general public other than as a result of disclosure by the OAS Participant.

Every OAS Participant has a duty to take reasonable steps to secure Confidential Information and to not disclose such Confidential Information, including once the OAS Participant ceases to work, provide services, or volunteer for OAS. An OAS Participant must not use information that is gained due to his or her relationship with OAS for personal profit, or in order to further any personal, private or public interest. See also the OAS *Confidentiality* and *Privacy* policies.

Any intentional or negligent disclosure of Confidential Information to persons who the OAS Participant knew, or ought to have known, should not have not received the Confidential Information, or misuse, may result in sanctions under this Policy.

C. Conflict of Interest

All OAS Participants are obligated to act in the best interests of OAS and to avoid conflicts of interest. OAS Participants must avoid situations where their personal interests or the personal interests of their Related Parties (as defined in Section I.) could interfere or may conflict, directly or indirectly, with their obligations to OAS.

Even if an OAS Participant does not have an actual conflict of interest, if other people perceive one, they may still be concerned that the OAS Participant cannot act properly. For this reason, it is important to avoid the appearance of a conflict, as well as an actual one. Being seen or thought to be in a conflict of interest can damage the reputation of the OAS Participant, and the reputation of OAS.

Conflicts of interest may arise in situations involving:

- An interest, either real or perceived, that benefits the OAS Participant or a Related Party including where:
 - A pecuniary interest is derived;
 - Preferential treatment is given;

- There is interference in the decision-making process; or
- Personal advantage of any kind may be derived;
- Outside organizations with which the OAS Participant has an official governing responsibility, or which employ the OAS Participant or a Related Party;
- The OAS Participant having a financial interest in the outside organization; or
- Real or perceived potential to compromise the best interests of OAS.

1. Managing Conflicts of Interest

This Policy does not identify or prohibit conflicts of interest but provides a basis to manage such situations as they arise. Conflicts of interest are commonplace and cannot always be avoided. **Those people who dedicate a lot of time to our sport and, as a result, fill several roles are generally most at risk for finding themselves in a conflict of interest.**

If an OAS Participant finds him or herself in a conflict of interest or a situation where he or she believes that others may perceive them to be in a position of conflict, the OAS Participant must declare the conflict immediately so that action can be taken to resolve the situation. This is the best way for interested OAS Participants to protect themselves and their reputation for honesty, fairness and objectivity.

a. Declaring a Conflict of Interest

OAS Participants **must** take one of these steps to declare a conflict of interest:

- Verbally report the conflict of interest to the Executive Director or President or to the directors or committee members at a board of directors or committee meeting. **This verbal declaration should be followed-up with a written declaration or documented in the Minutes of any board of directors or committee meeting;**
- Disclose the conflict of interest in writing by sending a letter to the Executive Director or President; or
- In the case of officials, disclose the conflict of interest in writing by sending a letter to the Chair of the Ontario Officials Committee.

b. Managing Conflicts in Decision-making

Decisions or transactions that involve a real or perceived conflict of interest that have been disclosed by the OAS Participant may be considered and decided upon provided that:

- The nature and extent of the conflict of interest has been disclosed fully to the body that is considering or making the decision, and this disclosure and how it was managed is recorded in the minutes;
- The interested OAS Participant is not included in the determination of quorum for the proposed decision or transaction; and

- The interested OAS Participant abstains from voting on the proposed decision or transaction.

Minor conflicts of interest can be managed simply by disclosing them. If the Executive Director or the President or the other directors or committee members at a board of directors or committee meeting agree unanimously that the conflict is minor, the interested OAS Participant can continue to participate in the decision;

More serious conflicts will require the interested OAS Participant to temporarily recuse him or herself from meetings and to not participate in any formal discussion on the matter giving rise to the conflict of interest. The interested OAS Participant must not attempt to learn about, provide information or otherwise influence the discussion or voting on a decision or transaction, either formally at a board or committee meeting or informally through private contact, communication or discussion, except as provided below:

- On the unanimous request of the body that is considering or making the decision, the interested OAS Participant may present information or respond to questions relating to the decision or transaction.

To avoid the appearance that OAS is giving interested OAS Participants an advantage, the body that is considering or making the decision must:

- Ensure that alternate bids or estimates have been obtained; and
- Determine by a majority vote that the transaction is fair and reasonable and in OAS's best interest.

In situations where OAS Participant's objectivity and ability to carry out his or her duties and responsibilities with OAS are hindered by ongoing conflicts of interest, the OAS Participant should offer to resign from their position.

c. Recognizing When Others are in Conflict

Where an OAS Participant believes that another OAS Participant has an actual or perceived conflict of interest that has not been declared, **he or she has a responsibility to take one of these steps:**

- **Inform the Executive Director or the President or the directors or committee members at a board of directors or committee meeting, as appropriate, of the potential conflict of interest; or**
- **In the case of officials, inform the Chair of the Ontario Officials Committee.**

Pointing out a potential conflict of interest is not an accusation, it is merely looking out for due process.

2. Benefits, Entertainment and Gifts

OAS Participants must not solicit or accept benefits, entertainment or gifts (collectively “Gifts”) in exchange for or as a condition of the exercise of their duties, or as an inducement for performing an act associated with their duties or responsibilities with OAS. Similarly, OAS Participants must not give away Gifts on behalf of OAS in exchange for, or as a condition of, any benefit for OAS or the OAS Participant.

It is the responsibility of the OAS Participant to ensure that a gift, whether received or to be given, is proper. If in doubt, the OAS Participant should consult with their immediate supervisor or a Person in Leadership (as defined in Section I.).

3. Outside Business Activity

An OAS employee or person under contract with OAS may undertake an outside business activity if there is no conflict of interest and if the satisfactory performance of the employee or contractor’s job functions with OAS is not prejudiced in any way. Such activities include an outside business interest, directorship or outside employment. In addition, the following rules apply:

- The OAS employee or contractor should not engage in any activity likely to compromise OAS’s reputation;
- The OAS employee or contractor should not conduct outside business on OAS time or use OAS information, equipment or facilities to conduct an outside business interest. This includes soliciting other OAS Participants to participate in an outside business activity; and
- Before taking on or continuing an outside business interest or committing to a job outside OAS, this should be discussed with the Executive Director or President to be sure these activities do not create a conflict or the appearance of a conflict.

4. Officials

All officials are obligated to avoid situations where their or their Family Members’ (as defined in Section I.) personal interests could conflict with behavior expectations for officials or otherwise call their integrity into question.

a. Deemed Conflict of Interest

The following categories of people are deemed to have a conflict of interest:

- A Family Member of a competitor;
- A current Coach of a competitor; and
- A Club Manager of a competitor.

Officials must disclose any deemed conflicts of interest at the beginning of the competitive season (or as they arise) to the Ontario Officials Committee (OOC) in the manner prescribed by OAS and withdraw from events or competitions when appropriate.

b. Other Interested Officials

Some situations are less serious than others and therefore not all conflicts require the same vigilance. The following categories of interested officials must disclose any conflicts of interest at the beginning of the competitive season (or as they arise) to the OOC in the manner prescribed by OAS:

- A Family Member of a current Coach of a competitor;
- A Family Member of a Club Manager of a competitor;
- A board member of a competitive club of a competitor; and
- A Family Member of a board member of a competitive club of a competitor.

Minor conflicts of interest can be managed simply by disclosing them. If the OOC agrees unanimously that the conflict is minor, the interested official can be selected for the event or competition. More serious conflicts will require an interested official to withdraw from events or competitions as determined by the OOC.

5. Board and Committee Members

In addition to section (C.) above, OAS board and committee members must not allow their loyalty to OAS to be compromised by their relationship to or involvement in another organization.

OAS board and committee members must acquaint themselves with the OAS By-laws and sign any related certification. OAS board and committee members may not be remunerated for their services or obtain loans from OAS.

6. Preferential Treatment

OAS Participants must not act in their official roles with OAS to assist organizations or persons in their dealings with OAS, if this may result in, or potentially appear to result in, preferential treatment to that organization or person.

7. Violations of The Conflict of Interest Requirements

Any failure by OAS Participants to disclose actual or possible conflicts of interest may result in disciplinary action under the Complaint Process set out in this Policy.

D. Equity and Inclusion

OAS is committed to equity, diversity and inclusion in all of its activities. All OAS Participants share a responsibility to provide a sport and work environment that fosters these values and will ensure that they are key considerations when setting policies and developing, updating or delivering their programs. See also the *OAS Equity and Inclusion Policy*.

E. Discrimination, Harassment and Violence

All OAS Participants are expected to support a work and sport environment that fosters respect and promotes everyone's dignity and self-esteem. OAS recognizes that discrimination, harassment, bullying and violence can poison the work and sport environment, not only for the group targeted, but for many other OAS Participants. All OAS Participants must recognize that it is the impact of the behaviour on a recipient that is paramount, not the intent of the individual who engages in the perceived offending behaviour. OAS is committed to creating and maintaining a work and sport environment that is free from discrimination, harassment, sexual harassment, bullying and violence, and in which all persons are treated fairly and with respect. OAS encourages the reporting of all incidents of discrimination, harassment, bullying and violence, regardless of who the offender may be.

1. Discrimination

Discrimination means any action, behaviour or attitude that negatively affects the employment, performance or volunteer activities of an individual, where such actions, behaviour or attitude is based on a prohibited ground of discrimination under applicable human rights law, including race, colour, religion, sexual orientation, disability or age. Discrimination can take place without any intent to do harm and can be based on a person's real or perceived characteristics.

This policy also applies to any other ground of discrimination prohibited by applicable law.

Examples of discrimination include:

- Making stereotypical assumptions including making someone more or less worthy as a person on the basis of race, colour, religion, sexual orientation, disability, age, body type, athletic ability or another personal characteristic; or
- Imposing burdens or withholding or limiting access to opportunities, benefits and advantages available to others, in a way that cannot be justified.

2. Harassment

Harassment is a form of discrimination, and refers to conduct, comment or display that is known, or ought reasonably to be known, to be unwelcome and where the wrongful conduct may be linked to things like the person's race, colour, religion, sexual orientation, disability, age or body type. Harassment includes bullying and can take many forms but often involves

conduct, comment or display that is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading, or otherwise causes offence, discomfort, or personal humiliation or embarrassment to a person or group of persons. One incident could be enough to constitute harassment.

Harassment does not include:

- Interpersonal conflict or disagreement; or
- The proper exercise of performance evaluation, appropriate managerial direction, delegation, performance management or attendance management.

Specific categories of Harassment include:

a. Personal Harassment

Personal harassment is wrongful conduct directed toward an individual that the perpetrator knew, or ought reasonably to have known, would be unwelcome. This behaviour is not necessarily linked to the prohibited grounds of discrimination.

Examples of personal harassment include:

- Belittling jokes, insults, name-calling, inappropriate teasing, taunting or condescension that undermines self-esteem, diminishes performance or creates a hostile sport or work environment;
- Written or verbal abuse, threats or outbursts;
- Practical jokes that cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
- Ignoring someone for extended periods of time or routinely or arbitrarily excluding them from practice;
- Any form of hazing; and
- The display or distribution of visual or audio material that is offensive, or that one ought to know is offensive in the circumstances.

b. Bullying

Bullying is unwanted verbal, physical or social behaviour directed to harming, intimidating, humiliating or controlling inappropriately another person. Bullying usually involves repeated incidents or a pattern of behaviour and a real or perceived power imbalance.

Examples of bullying include:

- Name-calling, inappropriate teasing, or spreading rumours, gossip or innuendo;

- Excluding or isolating someone socially, or embarrassing someone in public;
- Intimidating a person or physically abusing or threatening abuse;
- Withholding necessary information or purposefully giving the wrong information;
- Damaging, destroying or stealing personal belongings; and
- Using the internet, social media or text messaging to intimidate, put-down, spread rumours or make fun of someone.

c. Sexual Harassment

Sexual harassment is engaging in comments or behaviour of a sexual nature such as unwelcome sexual invitations or requests, unwanted physical contact such as touching or kissing, or innuendo or taunting about a person's body type, physical appearance or sexual orientation, gender identity or gender expression where comment or behaviour is known, or ought reasonably to be known, to be unwelcome. Sexual harassment is also making sexual invitations or requests where the person making the invitation or request is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the invitation or request is unwelcome.

3. Violence

Violence is any actual, attempted or threatened conduct of a person that causes or is likely to cause physical or psychological harm, injury or illness or that gives a person reason to believe that he or she or another person is at risk of physical or psychological harm, injury or illness. OAS is committed to the prevention of violence and to providing a safe and respectful work and sport environment. OAS will not tolerate any type of violent behaviour within OAS offices or at OAS Activities.

a. Domestic violence

Domestic violence is defined in the OHSA as an act of abuse between an individual and a current or former intimate partner, between an individual and a child who resides with the individual, or between an individual and an adult who resides with the individual and who is related to the individuals by blood, marriage, foster care or adoption, whether the abuse is physical, sexual, emotional or psychological, and may include an act of coercion, stalking, harassment or financial control, or a threat or attempt to do one of the above motioned acts.

Should OAS become aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the OAS office, other OAS workplaces or at OAS Activities, OAS will take every precaution reasonable in the circumstances for the protection of the worker.

F. Drugs, Alcohol, Cannabis, Tobacco and E-smoking Products

OAS Participants must never provide, promote, condone or ignore substance abuse, the non-medical use of drugs or the use of performance enhancing drugs or methods and, in the case of minors, alcohol, cannabis, tobacco or e-smoking products.

The use of alcohol, non-medical cannabis, tobacco or e-smoking products in the workplace is prohibited. OAS Participants will refrain from consumption of alcohol, cannabis, tobacco or e-smoking products while engaged in OAS Activity including OAS hosted meets or events where minors are present. OAS Participants will exercise moderation when consuming alcohol or cannabis products in adult-oriented social situations associated with OAS events.

1. Cannabis

Laws passed by the federal government and each Canadian province and territory define restrictions on recreational cannabis use including minimum cannabis use age and where cannabis may be consumed. OAS Participants will adhere to all federal, provincial and territorial laws on cannabis use.

The World Anti-doping Agency (WADA) has cannabis on its list of prohibited substances and cannabis use by any athlete subject to the Canadian Anti-doping Program may be considered doping. All OAS Participants have a responsibility to understand and observe Canadian Centre for Ethics in Sport (CCES) rules on cannabis use.

G. Intimate or Sexual Relationships

OAS Participants must not engage in an inappropriate, intimate or sexual relationship with an individual when in a position of power, trust or authority over the individual, even if all parties are consenting adults.

H. Social Media

SC Participants are expected to act in a responsible manner in relation to the content of personal websites and information communicated and shared on blogs and over social media sites. See also the OAS *Social Media Policy*.

OAS Participants will:

- Acquaint themselves with OAS’s mission, vision, values and policies and behave accordingly;
- Protect their privacy and take care to understand the social media site’s privacy settings and terms of service;
- Take reasonable steps to secure Confidential Information and to not disclose such information;

- Maintain a clear distinction between personal and professional social media use including having two separate accounts for these purposes, as appropriate;
- Ensure that all content is appropriate for viewing by minor athletes;
- Refrain from posting images or content related to drugs, alcohol, cannabis, tobacco or e-smoking products; and
- Keep their posts positive and not engage in bullying or negative or critical conversations online.

VI. Specific Behaviour Expectations and Standards

In addition to Sections (III.), (IV.) and (V.) above, there are certain behaviour expectations and standards that apply to specific categories of OAS Participants, as follows:

A. Athletes

Athletes engaged in OAS Activity shall:

- Strive for personal and team achievement through complete, consistent and sincere effort;
- Show respect for themselves and for all others;
- Contribute to a positive team culture by providing positive and constructive comments to teammates that motivate and encourage continued effort;
- Recognize that any bullying behaviour will not be tolerated and let their coach or a Person in Leadership know immediately if they have witnessed bullying behaviour or have been the victim of bullying;
- Immediately report to their coach any health or medical issue that may prevent or limit their ability to train, travel or compete and, in the case of carded athletes, their ability to fulfill the carding requirements;
- Only participate in competitions for which they are eligible to compete;
- Arrive for each practice, competition, selections or other OAS Activity on time, with all appropriate gear, well-nourished and prepared to the best of their ability;
- Conduct themselves in a sportsmanlike manner, whether as competitors or spectators, and not tolerate anyone among them who does not;
- Never consume alcohol, cannabis, tobacco or e-smoking products as a minor or while competing;
- Where applicable, adhere to the CAS or OAS Athlete Agreement, its requirements and expectations; and
- Comply with OAS's rules and requirements regarding clothing, equipment, training, travel, competition and curfew.

B. Board and Committee Members

OAS directors, officers and committee members shall:

- Be responsible first and foremost to the welfare of OAS and function primarily as a member of the board or committee, not as a member of any particular constituency;
- Conduct themselves openly, professionally, lawfully and in good faith in a way that is aligned with and enforces OAS's values and ethical standards;
- Exercise due diligence in holding their fiduciary responsibility to OAS Participants;
- Promote an appropriate culture that emphasizes the fair handling of conflicts of interest;
- Ensure that all directors, officers and committee members are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight;
- Respect the decisions of the majority and resign if unable to do so;
- Commit the time to attend meetings and to be diligent in their preparation for and participation in discussions;
- Have a thorough knowledge and understanding of all OAS's governing by-laws, policies and rules; and
- Promote a culture that values complaints and their effective resolution.

C. Coaches and Team Managers

Coaches and Team Managers engaged in OAS Activity shall:

- Demonstrate responsible leadership and adhere to the NCCP Code of Ethics;
- Act in the best interest of the athlete's development as a whole person;
- 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, and educating athletes as to their responsibilities in contributing to a safe environment;
- Work cooperatively with sport medical professionals in the diagnosis, treatment and management of athletes' medical and psychological treatments;
- Never encourage or permit an athlete to return to play prematurely or without the clearance of a medical professional following a serious injury;
- Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate and as opportunities arise;
- Never withhold information or take any action that could influence inappropriately athlete decision-making about participation in national or provincial team or other training programs;
- Support the coaching staff of national or provincial team or other training programs, should an athlete qualify for participation in one of these programs;

- Not use their position as a national or provincial team coach to solicit athletes (or the Parents of minor athletes) unless first receiving approval from the coaches who are responsible for the athlete;
- Provide athletes and the Parents of minor athletes with the information required to be involved in the decisions that affect the athlete;
- Exemplify conduct they wish their athletes to adopt in dress and behaviour;
- Maintain professional boundaries with athletes and refrain from interacting with minor athletes on social media other than through a distinct professional account;
- Ensure all online dialogue and interactions with minor athletes are for synchro-related purposes only;
- Ensure their athletes understand that discrimination, harassment, bullying and violence will not be tolerated, and create a culture of disclosure and reporting at the athlete level;
- Use inoffensive language and refrain from yelling at athletes in a manner that serves no productive training or motivational purpose;
- Not criticize other coaches or OAS or OAS Members and Participants publicly and interact in a professional manner; and
- Comply with OAS's rules and requirements regarding dress code.

D. Officials

Officials engaged in OAS Activity shall:

- Accept an assignment to officiate at a competition or event only if they intend to honour that commitment, and let the appropriate person know as soon as possible if, for any reason, they are unable to attend;
- Conduct themselves openly, professionally, impartially and in good faith in all officiating activities;
- Avoid endorsing or posting information about an athlete, coach or other OAS Participant that may suggest a preferential relationship or give the appearance of a conflict of interest;
- Declare a conflict of interest where applicable, and refrain from officiating in situations where the perception of a conflict of interest may be present;
- Make independent judgements;
- Respect the confidentiality required for issues of a sensitive nature including ejections, defaults, forfeits, discipline processes, appeals and other Confidential Information about CAS Participants;
- Commit to understanding and practicing their role as judge, referee, scorer or other official, and act appropriately within that role;
- Maintain technical knowledge of artistic swimming and all current rules and rule changes;

- Be accountable for decisions made while officiating, and set out the true facts when writing reports;
- Share technical knowledge and experience of artistic swimming with athletes, parents, coaches, meet managers, volunteers, OAS employees and other officials to enhance the development of the sport;
- Not criticize other officials or OAS and OAS Participants publicly and interact in a professional manner; and
- Comply with OAS's rules and requirements regarding dress code.

E. Parents and Spectators

Parents or spectators engaged in OAS Activity shall:

- Never ridicule an athlete for making a mistake during a performance or practice and provide positive comments that motivate and encourage all athletes' continued effort;
- Respect the decisions and judgments of officials and encourage athletes to do the same;
- Respect and show appreciation to all competitors and to the coaches, officials, meet managers, volunteers and other OAS Participants who give their time to the sport of artistic swimming;
- Refrain from the use of bad language, and not interfere with events or harass competitors, coaches, officials, meet managers, volunteers or other parents or spectators.

F. Persons in Leadership

Persons in Leadership shall:

- Promote awareness and understanding of OAS values and the Conduct Policy;
- Consider equity, diversity and inclusion when setting policies and developing, updating or delivering OAS programs;
- Act as a role model through their behaviour, action and words and encourage and motivate other OAS Participants to do the same;
- Build trust of OAS employees, athletes and other OAS Participants by listening to and understanding their interests and needs;
- Instill an atmosphere of collaboration;
- Maintain an environment where everyone feels comfortable asking questions and raising concerns;
- Assist people to make a complaint, if needed;
- Ensure that any possible or actual misconduct is investigated promptly and thoroughly, as appropriate; and

- Impose appropriate disciplinary or corrective measures when misconduct has been substantiated, regardless of the position or authority of the offender.

G. Members

Members registered with OAS shall:

- Adhere to all OAS's governing by-laws, policies and rules and, where necessary, amend their own rules to comply with those of OAS;
- Recognize that their websites, blogs and social media accounts are seen as extensions of OAS and must reflect OAS's mission, vision and values;
- Ensure that all athletes and coaches participating in OAS sanctioned competitions and events are registered and in good standing;
- Have well-defined hiring practices and standards in place including interviews and reference checks for coaches to ensure athletes have a healthy and safe sport environment;
- Ensure that all coaches and other individuals participating in OAS Activity have completed their police records check and vulnerable sector screening as required by OAS;
- Promote a culture that values complaints and their effective resolution;
- Ensure that any possible or actual misconduct is investigated promptly and thoroughly, as appropriate;
- Advise the Executive Director immediately of any situation where a complainant has publicized a complaint in the media;
- Impose appropriate disciplinary or corrective measures when misconduct has been substantiated, regardless of the position or authority of the offender; and
- Provide the Executive Director with a copy of a report on the outcome of any investigation by the Member into harassment or violence.

VII. Complaint Process

A. Organizational Commitment

All OAS Participants will cooperate with internal or external investigations of concerns of possible misconduct under this Policy by providing honest, accurate, complete and timely information.

OAS expects all employees, Persons in Leadership and Members to be committed to fair, effective and efficient complaint handling.

B. Accessibility

OAS will ensure that information about how and where Complaints may be made is well publicized, including on the OAS website. OAS expects employees and Persons in Leadership to understand OAS's complaint handling procedures and to assist people who wish to make a Complaint, including pursuing an informal resolution if appropriate.

C. Confidentiality

OAS recognizes that it may be extremely difficult for a person to come forward with a Complaint, and also that it may be devastating for a person to be accused wrongly of misconduct. OAS will endeavor to keep all Complaints under this Policy confidential, except where disclosure is required by law or is in the best interests of the public.

None of the parties to a Complaint will disclose confidential information about the Complaint to any person not involved in the proceedings.

D. Representation by a Responsible Adult

If the complainant is a minor athlete or other vulnerable person, a Complaint may be brought forward by a parent or other responsible adult who may act on their behalf and be present during the Complaint process.

E. Anonymous Complaints

OAS will accept anonymous Complaints if there is a compelling reason to do so and will carry out a confidential investigation of the issues raised where there is enough information provided.

F. Right to Withdraw from Further Action

A complainant has the right to withdraw from any further action in connection with a Complaint at any stage, even though OAS might continue to investigate a Complaint of a serious nature.

G. Responding to Complaints

1. Informal Resolution

OAS encourages individuals to first attempt to resolve issues under this Conduct Policy informally, whenever possible. Options for informal resolution include speaking to the person and informing the individual that the conduct was inappropriate and contrary to this Policy and asking for it to stop or requesting assistance from a supervisor or any Person in Leadership at OAS.

If this approach fails to resolve the issue, or if the circumstances are such that an informal resolution is not possible or appropriate, the formal process outlined below should be used.

2. Respect in Sport Resource Line

OAS Participants who have completed the Respect in Sport Group Activity Leader Training Program have the opportunity to access the Respect in Sport resource line. This 24/7 confidential and anonymous resource line provides advice on responding to inappropriate behaviour and is designed to assist in determining the most appropriate course of action to take. The Respect in Sport Resource Line may be accessed at: <https://synchro-canada.respectgroupinc.com>.

3. Initial Reporting

OAS expects OAS Participants to raise any concerns about behaviour and to report any misconduct. To this end, a report of a potential, suspected or actual breach of this Policy may be made verbally or in writing to any Person in Leadership at OAS. A Person in Leadership includes the Executive Director or any OAS board member.

Once a report has been received, the Person in Leadership to whom the report was made will inform the Executive Director and President (if the Executive Director or President did not receive the report) of the report, unless they are the subject of the report or have a material personal interest in the matter.

4. Formalizing a Complaint

In order for a report to be investigated and adjudicated, it must be formalized in writing with a brief overview of the matter sent by email to the Executive Director, at which point it will be considered a Complaint. A Complaint must be signed either by the complainant or by a Person in Leadership, if OAS is bringing forward the Complaint on its own or on the complainant's behalf.

The overview of the Complaint should include details of the alleged misconduct, including dates, times, locations, a description of action, account of dialogue, the name of the perpetrator(s) and any witnesses or names of other individuals who may have other relevant information. The Executive Director will assist the complainant in preparing a written, formal complaint if required. Once a Complaint has been received, the Executive Director will inform the President of the Complaint. The Executive Director will acknowledge receipt of the Complaint to the complainant.

The parties to a Complaint are OAS, the respondent and the complainant, if any.

Depending on the nature of the Complaint, the Executive Director may investigate personally, involve the Human Resources Committee or appoint an independent third-party investigator or external mediator. The Executive Director will always appoint an independent third-party investigator in situations where the complainant has publicized the complaint in the media, more than one person has alleged harassment, or the allegations are of a serious nature (e.g., an ongoing pattern of harassment, sexual harassment or violence).

5. Initial Screening

The Executive Director has the following responsibilities:

- To determine whether the complaint is trivial, frivolous or vexatious; and
- To determine whether the complaint falls under the jurisdiction of this Policy.

Complaints arising from the business, activities or events of entities other than OAS, including OAS Members, will be dealt with pursuant to the policies of these other entities unless requested and accepted by OAS at their sole discretion.

If the complaint is dismissed based on the grounds referred to above, the Executive Director will inform the President. The Executive Director will advise the complainant of the decision to dismiss the complaint in writing and of his or her right to appeal the decision.

6. Harassment and Violence

OAS will ensure an investigation is conducted into all allegations of harassment or violence, whether the OAS Participant has made an initial verbal or written report, a formal Complaint or OAS is otherwise aware of an incident(s) (e.g., if an OAS employee witnessed it or learned about it from another OAS Participant). OAS has a legal responsibility to maintain a harassment-free work and sport environment that goes beyond the circumstances of the individual Complaint. If the complainant chooses not to pursue a Complaint, the Executive Director in consultation with the President must determine if the alleged harassment is serious enough to warrant an investigation by OAS.

7. Objectivity

No Person in Leadership who is the subject of a Complaint, or who has a material personal interest in the matter, shall participate in the complaint process once it has been formalized (other than as a complainant, witness or respondent, as applicable). To this end, if the Executive Director is involved in the Complaint, the President will lead the complaint process. The Executive Director or President may assign the matter to any other Person in Leadership if required.

8. Interim Measures

The Executive Director may impose interim measures pending the investigation and disposition of a Complaint where the Executive Director is of the view that such measures are in the best interest of the complainant, respondent or OAS.

9. Internal Resolution

The Executive Director may choose to investigate the Complaint personally or to appoint a panel of three persons of the Executive Director's choosing to hear the Complaint. The Executive Director will serve as the Chair of the panel. The Executive Director or the panel may obtain independent advice, as appropriate.

The Executive Director will advise the respondent of the Complaint and will provide the respondent with a copy of the written Complaint and of this Policy. The respondent will be given an opportunity to submit a written response to the allegations within a reasonable period of time, but in no event fewer than 24 hours and no more than one week.

The Executive Director may request a hearing, which may be in-person or by telephone or electronic means. The Executive Director may request that other individuals participate and give evidence at a hearing. These decisions are at the sole discretion of the Executive Director and may not be appealed.

The Executive Director will determine how the hearing should proceed, provided that:

- The complainant and respondent are given reasonable written notice of the format of the hearing including the day, time and, in the case of an in-person hearing, place of the hearing;
- Timelines for written statements are prescribed and copies of any written documents are provided to the complainant and respondent in advance of the hearing;
- The complainant and respondent may be accompanied by a representative including legal counsel at their own expense; and
- The decision on whether misconduct has been substantiated will be by a majority vote.

If the respondent declines to submit a written response or to participate in a hearing, the hearing will proceed, and a written investigation report will nonetheless be issued.

10. Access to an Independent Third-party Investigator

The Executive Director may choose to appoint an independent third-party investigator to help in the resolution of a Complaint. This decision may be taken at any point in the complaint process where it is appropriate and where such an approach would be beneficial to all parties. OAS will assume all expenses associated with retaining an independent third-party investigator.

The Executive Director may consult with the investigator during the course of the investigation, may review the investigation report in draft and may provide additional terms of reference to, or request clarification from, the investigator, provided that none of the involvement is for the purpose of influencing the findings, or will compromise the independence of the investigator.

11. Mediation

If the Executive Director determines mediation could be a successful alternative to the more formal complaint process, the Executive Director may suggest mediation and if the complainant and respondent are willing to enter into mediation, the Executive Director will select and provide at OAS's expense, a mediator to mediate the matter.

H. Decision

The Executive Director will be responsible for determining whether misconduct has been substantiated in light of the findings of fact contained in the investigation report and for deciding what disciplinary or corrective action is appropriate. The Executive Director will inform the President of this decision who will, in turn, inform the OAS board of directors.

The complainant and respondent will be advised of the Executive Director's decision within a reasonable period of time, but in no event more than two weeks following the conclusion of an investigation. A summary of the written investigation report will be shared with the parties, but the full report will be considered confidential and will not be shared with anyone other than the President. The Executive Director will advise the complainant and the respondent of their right to appeal the decision.

I. Disciplinary Action

OAS Participants against whom a Complaint is substantiated may be disciplined, up to and including termination of employment or expulsion from the organization.

The Executive Director may apply the following disciplinary or corrective actions, individually or in combination:

- Verbal or written warning;
- Verbal or written apology from the respondent to the complainant;
- Service or other voluntary contribution to OAS;
- Removal of certain privileges;
- Suspension from certain events, which may include suspension from the current competition or from future teams or competitions;
- Suspension from certain OAS Activity such as coaching or officiating for a prescribed period of time;
- Suspension from employment or contract with OAS with or without pay;
- Payment of the cost of repairs for property damage;
- Demotion or reduction in pay;
- Termination of employment or contract;
- Expulsion from the organization;
- Publication of the decision; or
- Any other sanction considered appropriate.

In all cases, the Executive Director will draft and retain a Complaint report which, together with investigation report, will become part of the respondent's permanent record.

Where the Executive Director determines that a Complaint is vexatious, retaliatory or frivolous, it may impose disciplinary action of the nature referred to above against the complainant.

Enforcement of any disciplinary or corrective action is the responsibility of the OAS board of directors. Failure to comply with disciplinary measures will result in automatic suspension from all OAS Activity until such time as the measures have been complied with.

VIII. Appeals

A. Organizational Commitment

OAS recognizes the right of any OAS Participant to appeal a decision of OAS that he or she considers unfair or unjust and provides for an appeal process that is intended to be fair, timely and affordable.

B. Scope of Appeal

Any OAS Member who is affected by a decision of the OAS board, of any Committee of the board or individual who has been delegated to make decisions on behalf of OAS or its board has the right to appeal that decision provided there are sufficient grounds for the appeal as set out below. This Appeal Policy will not apply to decisions relating to:

- Employment;
- Infractions for doping offences, which are handled in accordance with the Canadian Anti-doping Program;
- The rules of the sport as set out in the OAS Rulebook;
- Team selection criteria;
- Disputes arising during competitions, which have their own appeal procedures; or
- Commercial matters or labour disputes for which another appeal process already exists under the applicable law or contract.

C. Grounds for Appeal

A disciplinary decision under this Policy may be appealed on the following grounds only:

- The decision under appeal was made without authority or jurisdiction;
- The investigation was conducted in an unfair or biased manner;
- Substantial new evidence has become available after the decision;

- The disciplinary or corrective action imposed was excessive or inappropriate; or
- A complainant may appeal a decision by the Executive Director not to deal with a Complaint.

D. Confidentiality

None of the parties to an appeal will disclose confidential information about the appeal to any person not involved in the proceedings.

E. Objectivity

No Person in Leadership who is the subject of a Complaint, or who has a material personal interest in the matter, shall participate in the appeal process (other than as an appellant or interested party, as applicable). To this end, if the Executive Director is involved in the appeal, the President will lead the appeal process. The Executive Director or President may assign the matter to any other Person in Leadership if required.

F. Representation by a Responsible Adult

If the appellant is a minor athlete or other vulnerable person, an appeal may be brought forward by a parent or other responsible adult who may act on their behalf and be present during the appeal process.

G. Appeal Process

1. Notice of Appeal

A notice of appeal of a decision under this Policy must be made in writing to the Executive Director within fourteen days of the appellant receiving notice of the Executive Director's decision and any disciplinary or corrective action and must state the grounds for the appeal and specific reasons for the appeal as well as any evidence that supports the grounds for the appeal.

The parties to an Appeal are OAS, the appellant, the respondent and any interested parties.

A copy of the notice of appeal will be provided immediately to the President, the respondent and to every person entitled to participate as an interested party in the appeal. Respondent refers to the body or individual whose decision is being appealed. Interested parties include individuals who can be directly affected by an appeal decision.

Any individual wishing to initiate an appeal beyond the fourteen-day period must provide a written request stating reasons for an exemption to this requirement. The decision to allow or not allow an appeal outside the fourteen-day period is at the discretion of **the Case Manager appointed by the Executive Director** and may not be appealed.

2. Initial Screening

The **Case Manager** has the following responsibilities:

- To determine whether the notice of appeal was submitted in a timely manner;
- To determine whether the appeal falls under the jurisdiction of this Policy;
- To determine whether the appeal is trivial, frivolous or vexatious; and
- To decide whether there are sufficient grounds for the appeal.

If the appeal is denied based on the grounds referred to above, the **Case Manager** will advise the appellant in writing of the reasons for the decision. This decision may not be appealed.

3. Appointment of Appeal Committee

If the **Case Manager** is satisfied that there are sufficient grounds for an appeal, the **Case Manager** will establish an **Appeals Committee** as soon as feasible, but in no event later than thirty days from the date of the notice of appeal referred to above. The Appeal Committee will consist of a single Adjudicator to hear the appeal. This individual may be an OAS Participant or an external appointee.

In extraordinary circumstances and at the discretion of the **Case Manager** in consultation with the President, a panel of three persons may be appointed to hear the appeal. In this event, the **Case Manager** will appoint one of the panel's members to serve as the Chair. None of the persons hearing the appeal may have been previously involved in the matter, have a significant relationship with any of the parties to the appeal or otherwise have a real or perceived conflict of interest.

4. Procedure for Appeal Hearing

The Appeal Committee may request a hearing, which may be in-person or by telephone or electronic means. The Appeal Committee may request that other individuals participate and give evidence at a hearing. These decisions are at the sole discretion of the Appeal Committee and may not be appealed.

The Appeal Committee will determine how the hearing should proceed, provided that:

- The appellant(s), respondent and any interested parties are given reasonable written notice of the format of the appeal including the day, time and, in the OAS of an in-person hearing, place of the hearing;
- Timelines for written statements are prescribed and copies of any written documents are provided to the Appeal Committee and to all other parties in advance of the hearing;
- Any of the parties may be accompanied by a representative including legal counsel at their own expense; and

- The decision will be by a majority vote as applicable.

The following persons may appear before the Appeal Committee at its hearing and make representations in the appeal:

- The appellant(s);
- The respondent;
- Any interested parties; and
- Any other person invited by the Appeal Committee to make representations or permitted to attend.

If a party to the appeal declines to submit a written response or to participate in a hearing, the hearing will proceed, and a decision will nonetheless be issued.

The appellant bears the onus of proof and must demonstrate, on a balance of probabilities, that the respondent has made a procedural error as described in the Grounds for Appeal.

In fulfilling its duties, the Appeal Committee may obtain independent advice.

H. Appeal Decision

The Appeal Committee's deliberations shall take place *in camera*. No other person shall be present during the deliberations.

The Appeal Committee, by a majority of votes cast, may:

- Reject the appeal and confirm the decision being appealed;
- Uphold the appeal and refer the matter back to the Executive Director for further investigation and a new decision; or
- Uphold the appeal and vary the decision.

The Appeal Committee will provide written reasons for its decision. A copy of the written reasons will be provided to the Executive Director, the President, the appellant, respondent and to any interested parties in the appeal. In extraordinary circumstances, the Appeal Committee may issue an oral decision or a summary written decision, with reasons to follow within a reasonable delay.

I. Liability Disclaimer

Except in cases of willful misconduct, the Appeal Committee will bear no liability for any act or omission in connection with the resolution of a dispute under this Policy. Members of the Appeal Committee cannot be called as witnesses during an appeal or before any court of competent jurisdiction, including with respect to costs.

No action or proceeding may be brought against OAS or OAS Participants in respect of a dispute, unless OAS is failing or refusing to comply with the provisions set out in this Policy on complaint resolution or the appeals process.