

Manitoba Gymnastics Association Policy and Procedures Manual

As approved at the MGA Board Minutes of October 7<sup>th</sup>, 2023

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The following sections (1, 2, 3, 9, 15, 19, 20, 21) have been replaced by stand-alone documents available for download here: <https://manitobagymnastics.ca/governance/>

## **PART ONE - ADMINISTRATION**

### **SECTION 4: THE BOARD OF DIRECTORS**

#### **4.1. Meeting Dates**

- a) Meetings will be set in advance (a yearly schedule is determined at the beginning of the season) and are subject to change.
- b) Meetings will be held a minimum of once every two months.

#### **4.2. Agenda**

- a) Agendas are distributed to the Board of Directors at least one week prior to meetings.
- b) All motions requiring ratification must be circulated with the aforementioned agenda, complete with background, to the Board of Directors. Motions must be submitted to the MGA office prior to the agenda being distributed in order to ensure informed discussion at meetings.

#### **4.3. Discussion**

- a) The Chairperson reserves the right to allow discussion and decision-making regarding items from the floor.
- b) The result of committee level discussions must be made available to the MGA Chairperson before discussion at a Board of Directors level may take place.

#### **4.4. Observers**

- a) Observers are welcome, except in the event the Board of Directors closes the meeting.
- b) Observers may not participate in the meeting unless permission from the Chair is granted.
- c) Observers hold no voting privileges during meetings of the Board of Directors.

#### **4.5 Nominating Committee**

- a) Three months prior to the AGM, the Board shall appoint a Nominating Committee Chair. His/her role is to recruit two or three additional committee members and to facilitate the nomination process.
- b) The members should have a solid background in gymnastics and be familiar with the requirements to be a member of the Board of Directors.
- c) Responsibilities:
  - To solicit nominations for the Board from the membership.
  - To ensure a full list of nominees necessary to fill all available positions has been achieved and presented to the membership.
  - To Chair or appoint a delegate from the Nominating Committee to Chair, the election portion of the Annual General Meeting.

##### **4.5.1 Call for Nominations**

- a) At least sixty days in advance of the AGM the Nominating Committee Chair shall forward

- a request for nominations to the Regular Members.
- b) Regular Members shall forward their nominations, accompanied by a brief resumé to the Chair of the Nominating Committee thirty days in advance of the AGM.
  - c) The slate of nominations shall be circulated to the Regular Members at least fourteen (14) days in advance of the Annual General Meeting (AGM).

#### **4.5.2 Nominations from the Floor**

- a) Nominations will NOT be accepted from the floor at the time of the AGM.

#### **4.5.3 Voting**

- a) A closed ballot will be held for the election of officers.

#### **4.5.4 Scrutineers**

- a) At the beginning of the voting, the Chair of the elections shall request that the AGM appoint a scrutineer to assist in counting the ballots. Each candidate will also have a person appointed in writing by the candidate to watch the voting and counting proceedings of the election.

### **SECTION 5: MANAGEMENT COMMITTEE**

#### **5.1. Composition**

- a) The Management Committee is comprised of the following: President (Chairperson), Vice - President, Treasurer and Executive Director.

#### **5.2. Role**

5.2.1 The role of the Management Committee is as follows:

- a) To perform management functions of the Board of Directors on their behalf. These functions include important and time-sensitive issues that must be dealt with when it is impossible to gather the Board of Directors for a decision.
- b) To perform functions of the Board of Directors, as determined by the Board of Directors, to streamline the decision-making process.
- c) To bring forward to the Board of Directors, for approval, any unusual, non-budgeted expenditure more than \$500.00 per item.
- d) To carry out tasks delegated to it by the Board of Directors.

#### **5.3. Areas of Responsibility**

- a) The day-to-day operation of the MGA.
- b) Budget development and monitoring.
- c) Supervision of staff.

## **SECTION 6: MEMBERSHIP AND REGISTRATION**

### **6.1. General Policies**

6.1.1. The MGA charges membership fees to help offset the costs of the many programs and services it offers to clubs, club members and other MGA members. Membership support, in both numbers and dollars, is crucial to the continued development of Gymnastics in Manitoba.

- 1) Membership Requirements:
  - To be a member of the Manitoba Gymnastics Association, an individual must be a member of a registered Manitoba Club, with the exception of officials and MGA Board members.
  - Coaches must have completed the Respect in Sport Program and must provide the certification number to the MGA.
  - Coaches must complete a Child Abuse registry form every year. All new coaches must complete the form before membership will be granted.
  - All competitive coaches (over the age of 18) must have a Criminal Record Check completed annually.
- 2) A member will be considered to include any formal or informal organization that is (directly or indirectly) controlled, materially influenced, affiliated, associated or connected to the member and may be a group of participants, registrants, class of member, company corporation, subsidiary, branch, satellite operation, “feeder” group, “booster” group, club or like organization. Members must understand that the establishment of such separate entities to circumvent this or any other MGA membership requirement will be considered an act of misrepresentation. Actions of this type are considered contrary to principles of ethical conduct and may result in disciplinary proceedings and consequences as determined by the Board of Directors or agents acting upon their direction.
- 3) A club must register 100% of its membership (athletes, recreational, coaches, apprentice coaches, officials, and executive members) *who meet the registration requirements*, (see 6.1.1. a.) with the MGA. If a club does not register 100% of its membership, *who meet the registration requirements*, registration may be denied or revoked. This information must be received from the club within thirty days of the program commencement date stated on the *Letter of Intent*. The MGA will not provide access to membership services and programs unless all registration information (fees, forms and individual forms) is submitted. Any clubs, whose initial registration is not received by the thirty-day deadline, will not be considered members of the MGA, until all fees, forms and names are received.
- 4) Clubs are required to register all new individual members over the course of the year as soon as they join a club program.
- 5) As members of the MGA, clubs agree to comply with all MGA policies, by-laws, and other program and/or administrative rules and regulations.
- 6) Only registered members, and registered clubs in good standing, may participate in MGA programs and reap the benefit of MGA funding. Registered members who do not reside in Manitoba may receive funding under special circumstances, pending Board of Directors approval.
- 7) Fees and all information must be received for registrations to be complete, and for individuals and clubs to be considered members of MGA and GCG.
- 8) No refunds will be issued once a registration has been processed.

6.2.1 Each fall, the MGA will post on the [MGA website](#), a membership package,  
*MGA – Policies and Procedures*

available to gymnastics clubs and organizations in the province. The registration year is September 1 – August 31.

## **SECTION 7: MGA PUBLICITY**

### **7.1. Contact**

- a) All contact with the media regarding MGA activities and events (including individual athlete's accomplishments when representing MGA) will be facilitated by the MGA Executive Director.
- b) MGA will not place media representatives in direct contact with athletes. All communications will be made through the athletes' coaches.
- c) The MGA will designate a spokesperson to deal with media-sensitive issues. This person shall be the sole liaison to the media, and the only individual permitted to make comments about the MGA and any issue in question.
- d) The MGA has no control over the media coverage that the Sport of Gymnastics receives.

### **7.2 Hosting Competitions**

- a) Host clubs are responsible for completing the Meet Sanction Application Form.
- b) In the event of changes to previously submitted information, a Meet Information Change Form must also be submitted prior to the competition.
- c) The MGA will provide the media with details of events according to the information provided on the Meet Sanction Application Form. Coverage will not be arranged for meets hosted by clubs that do not complete the required forms.

### **7.3 Club Referrals**

- a) The MGA office provides a Club Referral Service to the general public. The referrals will only be based on the applicants' desired location of the program.
- b) Individual programs will not be discussed, except in cases of types of programs (i.e. boys/girls, competitive, recreational, and pre-school).
- c) Costs, quality, recommendations, etc., will not be discussed.

## **SECTION 8: LOGOS AND OWNERSHIP**

### **8.1 Logo**

- a) The MGA logo is for the sole and express usage of the MGA. Written permission must be obtained from the MGA before use can be made of the MGA logo by any other individual/association.

### **8.2 Colours**

- a) Team colours for Manitoba Gymnastics are white, black, gold/yellow and silver.

### **8.3 Ownership**

- a) Unless otherwise determined by the Board of Directors, any documents prepared by/for

Manitoba Gymnastics staff, Board Members, volunteers and/or committees, or their designates, are under copyright and for the express use of the MGA, and may not be sold, photocopied or otherwise redistributed without permission from the MGA.

- b) GCG and FIG materials are under copyright and must be purchased from the MGA office. Photocopying, reproducing or re-selling of any of these materials violates copyright law.

## PART TWO - TECHNICAL

### **SECTION 10: INSURANCE AND SAFETY GUIDELINES**

#### **10.1 Insurance**

##### 10.1.1 Introduction

- a) The MGA provides liability and accident insurance coverage to registered members and clubs *in good standing* who have fulfilled the following membership registration requirements:
  - Have paid the designated Club Fee and submitted their *Letter of Intent* within thirty days of receipt of the Registration Package;
  - Have registered all of their individual recreational participants, competitive athletes, coaches, officials and associate members by submitting the required forms and fees on or before the due date, as stated in their *Letter of Intent*; and
  - Register all new members (as above) throughout the year's program activities.
- b) Clubs that do not meet the above registration requirements will not be considered a club *in good standing* and will not be covered by MGA insurance policies.
- c) Coverage is for the MGA and club activities such as training, programs, events, competitions, displays and demonstrations which are recognized by the MGA. All clubs *in good standing* will be considered as having their regular in-club training and program activities sanctioned as part of their acceptance of membership in the MGA.

##### 10.1.2. Liability Insurance

- a) The MGA provides members and clubs *in good standing* with the following liability insurance coverage.
  - Comprehensive General Liability
  - Sport Accident Coverage
- b) Clubs and members must inform the Executive Director of all possible liability claims that they believe may arise. Failure to report a potential liability insurance claim within one week of the incident may void the insurance coverage.
- c) From time to time, an MGA Full-Member Club may be using a facility to hold an event or display. If the property manager requests proof of insurance, the MGA will provide the club with a photocopy of the *Certificate of Insurance*.

##### 10.1.3 Accident and Accidental Death and Dismemberment Insurance

- a) The MGA's accident insurance coverage is for medical expenses, for members and clubs *in good standing*, over and above those paid by government and/or private health insurance plans. Accident insurance coverage will respond to an injury sustained while participating in sanctioned activities of the MGA. It is not an "aches and pains" policy, which means it does not provide coverage for chronic or overuse injuries. The MGA also provides individual members (not affiliate clubs) *in good standing* with Accident and Accidental Death and Dismemberment Insurance Coverage for accidents occurring during MGA sanctioned activities.

#### 10.1.4 Accident Reporting and Accident Insurance Claim Procedures

- a) After an accident occurs, the claimant must ensure completion of Sections I – V on the Accident Claim Form. Once this form is completed, and the *Attending Physician's Statement* (completed by a licensed physician), or a *Dentist Form* has been filled out, the forms are sent to the MGA office, which then submits to All Sport/Markle Insurance through Sport Manitoba.
- b) A physician and/or dentist must be consulted within thirty days of the accident.
- c) The MGA office will review the forms, verify the membership of the injured participant, authorize the claim and forward it to the insurance company.
- d) The Accident Claim Form must be received by All Sport/Markle Insurance within ninety days of the accident.
- e) The insurance company will then communicate directly with the injured participant in terms of further information required, and reimbursement.

#### 10.2 Safety Guidelines

- a) All athletes have the right to participate in suitable and safe settings.
- b) All athletes have the right to receive qualified and appropriate instruction from NCCP certified coaches.
- c) It is the obligation of the clubs, organizations and coaches to:
  - i) Ensure that gymnastics equipment and facilities are checked for safety on a regular basis including: a daily check of equipment and equipment set-up; a regular check of all cable attachments, floor plates and adjusting devices for signs of wear, and if any problems are found they are rectified before use;
  - ii) Ensure that gymnastics equipment is appropriate for the age and skill level of the participants;
  - iii) Attend NCCP certification and upgrading courses on a regular basis;
  - iv) Use appropriate progressions for skill development so that the safety and well-being of their athletes are not compromised;
  - v) Not attempt to teach skills which are beyond their own level of training and expertise; and
  - vi) Ensure that athletes are not competing skills unless they have been performed many times in training and can be performed safely without the need of a spotter.
  - vii) Recognize possible risks in the gym and minimize these risks.
  - viii) Inform parents of the risks involved and obtain informed consent from the parents.

#### 10.3 Medical Policies

- a) In the event of an emergency every attempt will be made to contact the parent or guardian of an injured individual regarding treatment.
- b) A parent or guardian will provide information on any prescription drug requirements so that appropriate treatment can be provided in case of emergency. Upon written request of the parent or guardian, a team manager or coach may dispense medication to an athlete.



- c) Any individual who is sick or injured for any reason will not be left unattended at any event, program or competition. Injured or sick individuals will be provided with caring attention by a team manager, coach, parent or other responsible person designated by the MGA until their return home.
- d) An athlete, in consultation with their coach, or parent or guardian, may withdraw, without disciplinary action, from a competition (where the athlete's participation has been funded by the MGA) with just cause.
- e) For the treatment of a blood related injury, if the bleeding occurs where other participants may be exposed to blood, the individual's participation will be interrupted until the bleeding has stopped. The wound must be cleaned and securely covered. All clothing soiled with blood must be replaced prior to the athlete resuming training or competition. In addition, all effected equipment and mats must be washed with bleach.
- f) Medical personnel shall be available on site for all provincial, inter-provincial and major competitions sanctioned or hosted by the MGA. Hosting organizations must have emergency action plans in place for accidents and injuries.

## **SECTION 11: SANCTION AND HOSTING**

### **11.1 Sanction**

- a) All regular club activities (training, in-province travel, in-club meets, etc.) are deemed "sanctioned" as part of the acceptance and payment of your membership within the MGA.
- b) Sanctioned events are those events that meet the approval of the MGA, or that are considered generally standard procedures or practices of the MGA.
- c) Clubs must request sanction from the MGA for the following events:

<b>Event</b>	<b>Notes</b>
Competitions (Sanction Fee Applies)	Any level that involves any members from outside your club; Any level which involves judges.
Travel Outside of Canada	Teams traveling outside Canada must receive permission from the MGA. The MGA will forward the application for permission to GCG for approval.

- d) Competition Sanction Fees: The AGM membership requested the Board to review a proposal for charging a competition sanction fee to each club based on a per competitor fee. The Board determined that in consideration of the ancillary services that the MGA provides to clubs for competitions (Media releases; posting of results; officials' education, etc.) the MGA will charge a sanction fee per participant of \$5.00 be paid per competition to the MGA for all hosted competitions.
- e) The sanction fee must be paid to the MGA three weeks following the hosted competition, submitted with the Competition report.

- f) Clubs that host events sanctioned by the MGA are obligated to comply with the following responsibilities, and take precautions regarding the risk management issues outlined below:

## **11.2 Responsibilities and Risk Management**

- a) The MGA may designate a representative to meet with the host organization in advance to explain the Risk Management Policy, be on site during the event, and monitor compliance with the guidelines.
- b) Ensure that all participants are registered members of the MGA
- c) Ensure there are always proper first aid supplies and persons trained in the delivery of first aid and CPR in the venue;
- d) Ensure that the venue and equipment have been properly inspected for safety hazards before the competition, and if any problems are found, they are rectified prior to the competition;
- e) Ensure the venue of the event provides access to emergency vehicles;
- f) Ensure there is access to a public telephone; or, if there is not, ensuring that a cellular telephone is available at all times;
- g) Designate, in advance, a call person (the person who contacts 911 in an emergency) and a control person (the person who takes charge of the situation and directs others) to handle serious incidents;
- h) If there is a banquet, ensuring that all health code requirements are met, and if alcohol is being served, that it is being done so in accordance with approved alcohol management guidelines; and
- i) Ensuring volunteers are adequate in number, are identifiable, have assigned duties and have undergone an orientation session.

## **11.3 Hosting**

- a) On an annual basis, the MGA will call for bids from clubs to host various provincial events. The deadline date will be listed on the [Competition Sanction Application Form](#).
- b) Bids to host events will only be accepted from member clubs *in good standing* with the MGA. Clubs may be requested to provide a proposed budget, organizing committee as well as details on facilities and equipment available.
- c) The Board of Directors, or its designated committee, will select hosts where applicable.

## **SECTION 12: COMPETITIONS, EVENTS AND CHAMPIONSHIPS**

### **12.1 Provincial Championships**

- a) All Provincial Championships (Regional Stream, Provincial Stream, National Stream) are under the jurisdiction of the MGA.

- b) The entry fees for Provincial Championships are set by the Technical Committees concerned, in consultation with the MGA staff.
- c) Each discipline's Technical Committee, as outlined in their *Technical Regulations*, will assign Judges for Provincial Championships.
- d) Hosts of the Provincial Championships must display MGA and the MGA sponsor's promotional and marketing material, as provided to them. This material will include program advertisements, logos, posters, banners, brochures and other material.
- e) The Board of Directors and staff of the MGA will be invited to the Provincial Championships. In addition, where possible, the MGA representatives will present awards or speak on behalf of the MGA.

## **12.2 National and International Events**

- a) GCG has the sole right to sanction and approve the hosting of national events, as well as the hosting of, and participation in, all international events.
- b) Clubs interested in hosting a national or international event or competition must request approval, sanction or submit an official bid to host to the MGA Board of Directors.

## **SECTION 13: NATIONAL COACHING CERTIFICATION PROGRAM (NCCP)**

### **13.1 Jurisdiction**

- a) Gymnastics related NCCP programs within Manitoba are under the jurisdiction of the MGA, in co-operation with Coaching Manitoba and the Coaching Association of Canada.
- b) All NCCP Technical Courses and Practical Certification are under the jurisdiction of the MGA and must be arranged through the MGA office.

### **13.2 General Policies**

- a) All coaches, artistic, and trampoline and tumbling, sixteen years of age and older, must attain their NCCP Gymnastics Foundations Trained Coach status as soon as possible, preferably within the current program year.
- b) The MGA advises that apprentice coaches fifteen years of age and younger, may audit a NCCP Gymnastics Foundations Courses as soon into the program year as possible.
- c) Recreational only clubs who wish to become members of the MGA must retain the services of a coach who is Gymnastics Foundations trained or is NCCP Level 1 certified in the former system.
- d) Clubs that offer Regional Stream and higher level programs who wish to become members of the MGA, must retain the services of a coach who has full NCCP Level 1 certification or is Gymnastics Foundations certified.
- e) If a club loses a coach and does not have a certified replacement due to 'exceptional circumstances', as required by the MGA Policies and Procedures, the Board will review the situation and determine if a grace period may be given to the club.

- f) All coaches participating in any sanctioned competition held in Manitoba must have a minimum of Level 1 Certification or have taken the Gymnastics Foundations Courses (Intro, Theory, Artistic or Trampoline).

**Effective 2019/2020 Season:**

- a) To be registered as a coach with the MGA coaches must meet the minimum standard outlined below:

<b>Minimum NCCP Requirements for Trampoline Coaches</b>		
Coach Apprentice	C1A	N/A
Recreational Coach	C1TT	GF Intro/Theory/Trampoline Trained
Provincial Coach	C3TT	GF Intro/Theory/Trampoline Certified
National Coach	C3TT	Required to follow GCG's Policies for National Stream

<b>Minimum NCCP Requirements for Artistic Coaches</b>		
Coach Apprentice	C1A	N/A
Recreational Coach	C1	GF Intro/Theory/Artistic Trained
Regional Coach	C2	GF Intro/Theory/Artistic Certified
Provincial Coach	C3	GF Intro/Theory/Artistic Certified
National Coach	C3	Required to follow GCG's Policies for National Stream

<b>Minimum NCCP Requirements for Artistic Coaches Using Trampoline as Training Aid</b>		
Coach Apprentice	C1A	N/A
Recreational Coach	C1	GF Intro/Theory/Artistic/Trampoline Trained
Regional Coach	C2	GF Intro/Theory/Artistic Certified and Trampoline Trained
Provincial Coach	C3	GF Intro/Theory/Artistic/Trampoline Certified or Level 2 Trained
National Coach	C3	Required to follow GCG's Policies for National Stream for Artistic and L2 Trampoline Certified

*Note: A coach may hold a higher level of certification to meet the minimum standard, for Example: Comp 1 trained is a higher level than GF Certified this would meet the criteria for an artistic Regional Coach.*

- b) To be registered as a club at least one Gymnastics Foundations or Level 1 certified must be on the gym floor at all times in the discipline they are coaching.
- c) Clubs with coaches registered as a Provincial Stream Competitive coach must have at least one (1) Competition 1 or Level 2 certified coach on the gym floor at all times (when A3 athletes are in the gym). It is strongly recommended that all coaches teaching Provincial Stream are Competition 1 trained.
- d) National Stream Coaches are required to follow the GCG policies for Western and Canadian Championships.
- e) The MGA advises that apprentice coaches fifteen years of age and younger, may audit a NCCP Gymnastics Foundations Courses as soon into the program year as possible.

- f) If a club loses a coach and does not have a certified replacement due to 'exceptional circumstances', as required by the MGA Policies and Procedures, the Board will review the situation and determine if a grace period may be given to the club.

### 13.3 Program Outline

- a) The NCCP Program offers four levels of training and education for coaches:

Level	Corresponding Streams
Gymnastics Foundations	Recreational Stream Regional Stream
Competition 1	Provincial Program
Competition 2	National Stream
Competition 3	High Performance

- b) The minimum age to receive certification in Gymnastics Foundations is sixteen years.

### 13.4 Course Fees

- a) The course fees for NCCP Technical Courses are set by the MGA on an annual basis.

### 13.5 Clinic Hosting and Scheduling

- a) The MGA will organize and schedule NCCP Technical Courses when and where interest has been expressed. A minimum of seven participants is required to ensure courses will not be cancelled. Clubs may request the MGA office to organize clinics in their area or at their club. All courses will be open to any coach with the proper certification. All others will be considered to be auditing the course.
- b) Course fees and administration for all NCCP Courses will be processed and retained by the MGA office.
- c) The MGA will pay \$25 per hour for Facility Honorariums to host clubs.
- d) Learning Facilitators will receive the following honorarium:
  - a. Gymnastics Foundations or Equivalent - \$35 per hour
  - b. Competition 1 or Equivalent - \$35 per hour
  - c. Competition 2 or Equivalent - \$40 per hour
- e) Coach Evaluators will receive the following honorariums:
  - a. Gymnastics Foundations - \$80 per evaluation
  - b. Competition 1 - \$150.00 per evaluation
  - c. Competition 2 - \$150.00 per evaluation
  - d. Co-evaluations - No honorarium will be paid as it is part of the training process to become a certified Coach Evaluator.

## **SECTION 14: MGA RECOGNITION AWARDS**

### **14.1 THE JACK MOWAT RECOGNITION AWARD**

- a) Awarded to MGA members who have made significant and long-lasting contributions to the MGA;
- b) Awarded to officials, volunteers, or coaches who have shown outstanding achievements in the sport of gymnastics in Manitoba;
- c) Awarded to MGA members who have been involved in gymnastics in Manitoba for a minimum of ten years;
- d) This award requires a nomination form to be completed and submitted to the MGA Awards Committee, chaired by the Member at Large of the Board of Directors. The Awards Committee determines the recipient; and
- e) One person will be chosen every year. Award will be presented at the Annual MGA Awards Event.

### **14.2 MGA SPECIAL ACHIEVEMENT AWARDS**

- a) The MGA Special Achievement Awards will be awarded to one nominee per category each year. This award requires a nomination form to be completed and submitted to the MGA Awards Committee, chaired by the Member at Large on the Board of Directors. The Awards Committee determines the recipients.
- b) Special Achievement Awards consist of four categories: coaching, judging, administration and volunteer.
  - a. Coaching Award - Consideration will be given to an individual's:
    - willingness to share ideas and to help others;
    - creativity and contribution to the sport;
    - professionalism and respect for others;
    - leadership and sportsmanship;
    - professional development and NCCP status;
    - gymnasts' achievements under their guidance; and
    - involvement as a member of the MGA for a minimum five years.
  - b. Judging Award - Consideration will be given to an individual's:
    - willingness to accept and carry out judging responsibilities at clinics and competitions;
    - professionalism during judging assignments;
    - demonstration of an attitude of respect, co-operation and appreciation for fellow judges, coaches, gymnasts, and volunteers;
    - acceptance of leadership responsibilities, which include the development of judges in Manitoba;
    - demonstration of a sense of good sportsmanship and fair play; and
    - involvement as a member of the MGA for a minimum five years.
  - c. Administrator Award - Consideration will be given to an individual's:
    - commitment through contribution to the MGA and development of the sport;

- dedication to developing the sport of gymnastics at any level;
  - emphasis would be on a provincial scale; and
  - involvement as a member of the MGA for a minimum five years.
- d. Volunteer Award - Consideration will be given to an individual's:
- commitment through contribution to the MGA and development of gymnastics in Manitoba at any level;
  - emphasis would be on a provincial scale; and
  - involvement with the MGA for a minimum five years.

## **PART THREE - CONDUCT**

### **SECTION 16: DISCIPLINE, SANCTION AND APPEAL GUIDELINES**

#### **16.1 Definitions**

- a) The following terms have these meanings in this Policy:
  - i) "Association" – Manitoba Gymnastics Association
  - ii) "*Complainant*" – The party alleging an infraction
  - iii) "*Days*" – Any day of the week, including weekends and holidays
  - iv) "*Individuals*" – All categories of membership defined in the Association's Bylaws, as well as all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, managers, officials, volunteers, and committee or board members of the Association.
  - v) "*Parties*" – The Complainant, Respondent, and any other Individuals or persons affected by the complaint
  - vi) "*Respondent*" – The alleged infracting Party

#### **16.2 Purpose**

- a) The Association is committed to providing an environment in which all Individuals involved with the Association are treated fairly and with respect. Participation in the Association's activities brings many benefits and privileges. At the same time, Individuals are expected to fulfill certain responsibilities and obligations including complying with the Association's policies, bylaws, rules and regulations, and *Code of Conduct and Ethics*. Conduct that violates these values may be subject to sanctions pursuant to this policy. Since discipline may be applied, the Association provides Individuals with the mechanism outlined in this policy so that complaints are handled fairly, expeditiously, and affordably.

#### **16.3 Application of this Policy**

- a) This policy applies to all Individuals defined in the definitions section. This policy does not apply to any Association employees as such matters are governed by the Association's policies that expressly apply to its employees.
- b) This policy applies to discipline matters that may arise during the Association's business, activities, and events including, but not limited to, competitions, tournaments, practices, tryouts, training camps, travel associated with the Association, the Association Board of Director meetings and any other Association meetings.
- c) Discipline matters and complaints arising within the business, activities, or events organized by entities other than the Association will be dealt with pursuant to the policies of these other entities unless accepted by the Association in its sole discretion.



#### **16.4 Reporting a Complaint**

- a) Any Individual may report any complaint to the Association. Such a complaint must be in writing and signed and must be filed within twenty-one (21) days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of the Association.
- b) A Complainant wishing to file a complaint outside of the twenty-one (21) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the twenty-one (21) day period will be at the sole discretion of the Association. This decision may not be appealed.

#### **16.5 Dispute Resolution and Mediation**

- a) Before any complaint proceeds to a formal stage, the dispute will first be referred to an Association delegate for review, with the objective of resolving the dispute via alternate dispute resolution (ADR) and/or mediation.

#### **16.6 Case Manager**

- a) Should the alternate dispute resolution not resolve the dispute, the Association will appoint a case manager to oversee the management and administration of complaints submitted in accordance with this policy and such appointment is not appealable. The case manager can be but is not required to be associated with the Association. The case manager has an overall responsibility to ensure procedural fairness is respected at all times in this policy, and to implement this policy in a timely manner. More specifically, the case manager has a responsibility to:
  - a) Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this policy, the complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss the complaint may not be appealed
  - b) Determine if the complaint is a minor or major infraction
  - c) Appoint the panel, if necessary, in accordance with this policy
  - d) Coordinate all administrative aspects of the complaint
  - e) Provide administrative assistance and logistical support to the panel as required
  - f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
- b) The Case Manager will inform the parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section relating to the minor or major infraction.
- c) This policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this policy.
- d) Any infractions or complaints occurring within competition will be dealt with pursuant to the appropriate procedures at that competition. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only. Further

sanctions may be applied but only after review of the matter in accordance with the procedures set out in this policy.

## **16.8 Minor Infractions**

- a) Minor infractions are **incidents** of failing to achieve expected standards of conduct that generally do not result in harm to others or to the Association. Examples of minor infractions can include, but are not limited to, an incident of:
  - i) Disrespectful, offensive, abusive, racist, or sexist comments or behavior
  - ii) Disrespectful conduct such as outbursts of anger
  - iii) Conduct contrary to the values of the Association
  - iv) Being late for, or absent from, the Association events and activities at which attendance is expected or required
  - v) Non-compliance with the Association's policies, procedures, rules, or regulations
  - vi) Minor violations of the Association's *Code of Conduct and Ethics*
- b) All disciplinary situations involving minor infractions will be dealt with by a person who has authority over both the situation and the individual involved. The person in authority can be, but is not restricted to being, staff, organizers, or Association decision-makers.
- c) Provided that the Individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).
- d) Penalties for minor infractions, which may be applied singularly or in combination, include the following:
  - i) Verbal or written reprimand from the Association to one of the Parties
  - ii) Verbal or written apology from one Party to the other Party
  - iii) Service or other voluntary contribution to the Association
  - iv) Removal of certain privileges of membership for a designated period of time
  - v) Suspension from the competitions, activities, or events
  - vi) Restriction of activities
  - vii) Any other sanction considered appropriate for the offense
- e) Minor infractions that result in discipline will be recorded and records will be maintained by the Association. Repeat minor infractions may result in further such incidents being considered a major infraction.

## **16.9 Major Infractions**

- a) Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, or to the Association. Examples of major infractions include, but are not limited to:
  - i) Repeated minor infractions
  - ii) Any incident of hazing
  - iii) Incidents of physical or sexual abuse
  - iv) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
  - v) Pranks, jokes, or other activities that endanger the safety of others
  - vi) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition

- vii) Conduct that intentionally damages the Association's image, credibility, or reputation
  - viii) Disregard for the Association's bylaws, policies, rules, and regulations
  - ix) Major or repeated violations of the Association's *Code of Conduct and Ethics*
  - x) Intentionally damaging Association property or the property at which the activity takes place or improperly handling of the Association's monies
  - xi) Abusive use of alcohol and cannabis, any use or possession of alcohol and cannabis by minors, or use or possession of illegal drugs
  - xii) Any possession or use of performance enhancing substances or methods
  - xiii) Theft of money and/or property of others
  - xiv) Cheating during a competition
- b) Major infractions will be handled using the Procedure for Major Infraction Hearing set out in this Policy, except where a dispute resolution procedure contained within a contract, or other formal written agreement takes precedence.

#### **16.10 Procedure for Major Infraction Hearing**

- a) The Case Manager shall notify the Parties that the complaint is potentially legitimate and the incident shall be dealt with as a major infraction. The case manager shall then decide the format under which the complaint will be heard. This decision is at the sole discretion of the case manager and may not be appealed.
- b) The Case Manager will appoint a Discipline Panel, which shall consist of a single Adjudicator, to hear the complaint. At the discretion of the case manager, a Panel of three persons may be appointed to hear the complaint. In this event, the case manager will appoint one of the Panel's members to serve as the Chair.
- c) If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may still hold a hearing for the purpose of determining an appropriate sanction.
- d) If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
- e) The Case Manager will determine the format of the hearing, which may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, provided that:
- i) The Parties will be given appropriate notice of the day, time, and place of the hearing
  - ii) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
  - iii) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
  - iv) The Panel may request that any other individual participate and give evidence at the hearing
  - v) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
  - vi) The decision will be by a majority vote of Panel members

- f) If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the complaint in question and will be bound by the decision.
- g) In fulfilling its duties, the Panel may obtain independent advice.

#### **16.11 Decision**

- a) After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the Association. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Panel.

#### **16.12 Sanctions**

- a) The Panel may apply the following disciplinary sanctions, singularly or in combination, for major infractions:
  - i) Verbal or written reprimand from the Association to one of the Parties
  - ii) Verbal or written apology from one Party to the other Party
  - iii) Service or other voluntary contribution to the Association
  - iv) Suspension from the Association competitions, activities, or events
  - v) Expulsion or dismissal from the Association
  - vi) Withholding of awards
  - vii) Payment of the cost of repairs for property damage
  - viii) Suspension of funding from the Association or from other sources
  - ix) Any other sanction considered appropriate for the offense
- b) Unless the Panel decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension from the Association competitions, activities or events until such time as compliance occurs.

#### **16.13 Suspension Pending a Hearing**

- a) The Association may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual from the Association competitions, activities or events pending a hearing and a decision of the Panel or completion of criminal proceedings.

#### **16.14 Criminal Convictions**

- a) An Individual's conviction for any of the following *Criminal Code* offenses will be deemed a major infraction under this Policy and will result in ineligibility from the Association competitions, activities or events upon the sole discretion of the Association:
  - i) Any child pornography offences
  - ii) Any sexual offences
  - iii) Any offence of physical or psychological violence
  - iv) Any offence of assault
  - v) Any offence involving trafficking of illegal drugs

### **16.15 Confidentiality**

- a) The discipline and complaints process is confidential and involves only the Parties, the case manager, the Panel, and any advisors to the Parties or the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

### **16.16 Timelines**

- a) If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Panel may direct that these timelines be revised.

### **16.17 Records and Distribution of Decisions**

- a) Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by the Association.
- b) Decisions and appeals are matters of public interest and shall be publicly available with the names of the individuals redacted. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.

### **16.18 Appeals Procedure**

- a) The decision of the Panel may be appealed in accordance with Association's *Appeal Policy*.

### **16.19 Appeal Policy**

#### **16.19.1 Definitions**

- a) The following terms have these meanings in this Policy:
  - i) "*Appellant*" – The Party appealing a decision
  - ii) "*Association*" – Manitoba Gymnastics Association
  - iii) "*Case Manager*" – An individual appointed by the Association, who may be any Association Staff, Committee member, Volunteer, Director, or an independent third party, to oversee this Appeal Policy.
  - iv) "*Days*" – Any day of the week, including weekends and holidays
  - v) "*Individuals*" – All categories of membership defined in the Association's Bylaws, as well as all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, managers, officials, volunteers, and committee or board members of the Association.
  - vi) "*Parties*" – The Appellant, Respondent, and any other Individuals or persons affected by the appeal
  - vii) "*Respondent*" – The party whose decision is being appealed

#### **16.19.2 Purpose**

- a) The Association is committed to providing an environment in which all Individuals involved with the Association are treated with respect. The Association provides Individuals with this *Appeal Policy* to enable fair,

affordable, and expedient appeals of certain decisions made by the Association.

### **16.19.3 Scope and Application of this Policy**

- a) This policy applies to all Individuals. Any Individual who is directly affected by an Association decision shall have the right to appeal that decision; provided there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this policy. This policy does not apply to any Association employees as such matters are governed by the Association's policies that expressly apply to its employees.
- b) This policy **will apply** to decisions made by the Association relating to:
  - i) Eligibility
  - ii) Athlete Selection
  - iii) Conflict of Interest
  - iv) Discipline
  - v) Membership
- c) This policy **will not apply** to decisions relating to:
  - i) Employment
  - ii) Infractions for doping offenses
  - iii) The rules of sport
  - iv) Selection criteria, quotas, policies, and procedures established by entities other than the Association
  - v) Substance, content and establishment of team selection criteria
  - vi) Volunteer/coach appointments and the withdrawal or termination of those appointments
  - vii) Budgeting and budget implementation
  - viii) The Association's operational structure and committee appointments
  - ix) Decisions or discipline arising within the business, activities, or events organized by entities other than the Association (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless accepted by the Association at its sole discretion)
  - x) Decisions or discipline arising within competition
  - xi) Decisions made under this Policy

### **16.19.4 Timing of Appeal**

- a) Individuals who wish to appeal a decision have twenty-one (21) days from the date on which they received notice of the decision to submit, in writing to the Association, the following:
  - i) Notice of the intention to appeal
  - ii) Contact information of the appellant
  - iii) Name of the respondent and any affected parties
  - iv) Date the appellant was advised of the decision being appealed
  - v) A copy of the decision being appealed, or description of decision if written document is not available
  - vi) Grounds for the appeal
  - vii) Detailed reasons for the appeal
  - viii) All evidence that supports these grounds
  - ix) Requested remedy or remedies
- b) An Individual who wishes to initiate an appeal beyond the twenty-one (21) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the twenty-one (21) day

period will be at the sole discretion of the Case Manager and may not be appealed.

#### **16.19.5 Grounds for Appeal**

- a) A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds are limited to submissions that include the Respondent:
  - i) Made a decision that it did not have authority or jurisdiction (as set out in the relevant governing documents)
  - ii) Failed to follow its own procedures (as set out in the relevant governing documents)
  - iii) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views)
  - iv) Failed to consider relevant information or took into account irrelevant information in making the decision
- b) The Appellant bears the onus of proof and must demonstrate, on a balance of probabilities, the occurrence of one of the circumstances set out in Section 17.2 of this policy and that such circumstances had, or may reasonably have had, a material effect on the decision or decision-maker.

#### **16.19.6 Screening of Appeal**

- a) Upon receiving the notice of the appeal, and all other information (outlined in the 'Timing of Appeal' section of this Policy), the Association will review the appeal and attempt to resolve the appeal by mediation.
- b) Should the mediation fail to resolve the appeal, the Association will appoint an independent third-party Case Manager who has the following responsibilities:
  - i) Determine if the appeal falls under the scope of this policy
  - ii) Determine if the appeal was submitted in a timely manner
  - iii) Decide whether there are sufficient grounds for the appeal
- c) If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
- d) If the Case Manager is satisfied that the appeal should not be denied as provided in Section 17.5 of this Policy, the Case Manager will appoint an Appeals Panel which shall consist of a single Panel Member to hear the appeal. At the discretion of the Case Manager, 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.

#### **16.19.7 Procedure for Appeal Hearing**

- a) The Case Manager shall notify the Parties that the appeal will be heard. The Case Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.
- b) If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
- c) The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in

advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances, provided that:

- i) The hearing will be held within the appropriate timeline determined by the Case Manager
- ii) The Parties will be given reasonable notice of the day, time and place of the hearing
- iii) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- iv) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- v) The Panel may request that any other individual participate and give evidence at the hearing
- vi) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- vii) If a decision in the appeal may affect another person to the extent that the other person would have recourse to an appeal in their own right under this Policy, that person will become a party to the appeal in question and will be bound by its outcome
- viii) The decision to uphold or reject the appeal will be by a majority vote of Panel members

d) In fulfilling its duties, the Panel may obtain independent advice.

#### **16.19.8 Appeal Decision**

- a) The Panel shall issue its decision, in writing and with reasons, after the hearing's conclusion. The Panel may decide to:
  - i) Reject the appeal and confirm the decision being appealed
  - ii) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
  - iii) Uphold the appeal and vary the decision
- b) The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the Association. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

#### **16.19.9 Confidentiality**

- a) The appeals process is confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.
- b) Appeal decisions that are matters of public interest shall be publicly available with the names of the individuals redacted. Names of persons disciplined/affected may be disclosed to the extent necessary to give effect to any decision imposed.

#### **16.19.10 Final and Binding**

- a) The decision of the Panel will be binding on the Parties and on all Individuals associated with the Association.



- b) No action or legal proceeding will be commenced against the Association or Individuals in respect of a dispute, unless the Association has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in the Association's policies, procedures, rules and regulations.

#### **17.19.11 Reciprocity Agreement:**

*That Gymnastics Canada and its members (P/TGOs) agree that any suspension or expulsion of membership of a "Registered Participant" of GCG by a Member or GCG shall be reciprocally applied across all jurisdictions of the Members of GCG. All processes of the Member relating to the matter shall have been followed to ensure that:*

- a) *A fair hearing was held by the member concerning the alleged breach by the person;*
- b) *The person was duly notified of the hearing;*
- c) *For the hearing, the person was notified by the member that if found guilty of a breach of the Member's Code of Ethics, Rules, Policies, or Regulations, the person would be either suspended, expelled, or registration with the member would be cancelled and that the person will also have its registration as a Registered Participant with GCG suspended or cancelled based on the sanction issued by the Member;*
- d) *After the hearing, the person was found guilty of a breach of the Code of Ethics, Rules, Policies, or Regulations of the Member.*

### **SECTION 17: CONFLICT OF INTEREST**

#### **17.1 Background**

The ability of the directors of the Manitoba Gymnastics Association (MGA) to make deliberate, thoughtful, and disinterested decisions can be affected profoundly by the other interests - personal and professional - of individual directors. The MGA is entitled to a director's best judgment, which should not be clouded by the fact a director has a personal agenda that conflicts with the interests of the MGA.

It is imperative for directors to remember that the MGA depends on the trust of Regular and Associate members, donors, volunteers, and other supporters. Even the appearance or suggestion of conflict can damage the MGA's reputation and ability to carry out its mission. The appearance of reality is critical, and a perceived conflict of interest of a director could have devastating consequences for the MGA, even if the questionable transaction fails to meet the relatively narrow legal definition of conflict of interest. In terms of the public perception of the MGA, it is important not only are conflict of interest situations identified and managed, but that they are seen to be handled in a manner which is fair, consistent, above-board and transparent.

This conflict of interest policy does not prohibit conflicting interests but provides a formal process to manage conflicting interests successfully. The policy has two basic purposes. First, it allows approval of contracts or transactions by disinterested decision makers who have the knowledge of the circumstances of a transaction, so that decisions are both informed and disinterested. Second, the policy ensures that a contract or other transaction between the MGA and an individual director who revealed his or her interest, and which was voted for by a quorum of disinterested directors, cannot be challenged if it is fair to the MGA.

#### **17.2 Position Statement**

- a) No director, officer or employee of the MGA shall have any position with, or a substantial interest in, any other business enterprise operated for a profit, the existence of which would conflict or might reasonably be supposed to conflict with the proper performance of his/her MGA duties of responsibilities, or which might tend to affect his/her independence of judgment with respect to transactions between the MGA and such

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other business enterprise, without full and complete disclosure thereof to the Board of Directors.

- b) Each director has a duty to place the interest of the MGA foremost to any dealings with the MGA and has a continuing responsibility to comply with the requirements of this policy.
- c) The conduct of personal business between any director and the MGA is prohibited, except when approved pursuant to the policy set out below.
- d) Directors may not obtain for themselves, their relatives, or their friends a material interest of any kind from their association with the MGA, except when approved pursuant to the policy set out below.
- e) If a director has an interest in a proposed transaction with the MGA in the form of a significant personal financial interest in the transaction or in any organization involved in the transaction or holds a position as trustee, director, officer or employee in any such organization, he/she must make full, timely disclosure of such interest before any discussion or negotiation of such transaction.

### **17.3. Definition of Conflict of Interest**

Throughout this policy, conflict of interest broadly refers to:

- a) Any situation in which a director of the MGA may be influenced in any decision of the MGA by personal, financial or a business interest in a transaction, or in any organization involved in the transaction, or holds a position as trustee, director, officer, or employee in any such organization, or
- b) A member of the immediate family of the director has an interest in the proposed transaction in the form of significant personal financial or business interest in a decision of the MGA or in any organization involved in the transaction, or holds a position as director, officer, or employee in any such organization (immediate family is considered to include a spouse, child, brother or sister, or any family member financially dependent on the director); or
- c) In any other circumstance where the director, or any other MGA director, believes that a real or conceived conflict may be present.

### **17.4 Process for Dealing with a Conflict Situation**

- a) It is the responsibility of the director to declare circumstances where a conflict exists. Furthermore, any MGA director may also identify situations where he/she believes that another director has a conflict.
- b) All conflict of interest situations involving a transaction with a financial value or benefit in excess of \$1,000.00 must be approved by the Board of Directors. Conflict situations involving transactions below this dollar threshold must be approved by two disinterested MGA directors provided that such transactions do not represent a series

of transactions (in such cases the series of transactions must be approved by the Board of Directors).

- c) In considering conflict of interest situations, the Board of Directors must consider the following principles:
  - i) the process for selecting the other party to the transaction and whether appropriate tendering has been undertaken to identify appropriate parties and to validate the value of the transaction;
  - ii) the business needs of the MGA for entering into the transaction and whether such needs are best satisfied by the party that has caused the conflict situation to arise; and
  - iii) notwithstanding the above principles, whether entering into the transaction with the party could be perceived by a reasonable person to represent an unacceptable conflict and where such perception could damage the reputation of the MGA.
- d) When the Board of Directors is discussing a transaction involving a conflict of interest:
  - i) The conflicted director shall not participate in such discussions as an advocate on his/her own behalf, either formally at the Board of Directors meeting or informally through private contact, communication and discussion, unless such participation is approved by a unanimous vote of the other directors.
  - ii) Except where the participation of a conflicted director in the discussion of the matter has been approved as set out in d (i) above, the director should not be present at that portion of a meeting when matters in which he/she has an interest are considered.
  - iii) The conflicted director shall not participate in the vote on the matter.
  - iv) In order for the transaction to be approved, there must be a vote of  $\frac{3}{4}$  of the disinterested directors present at the meeting. In order for such a vote to be held, there must be a minimum of three disinterested directors present at the meeting.
- e) All discussions related to conflict of interest situations will be clearly documented in minutes of the Board of Directors meeting.

### **17.5 Gifts:**

From time to time, MGA directors may be the recipient of gifts during the course of conducting activities on behalf of the MGA. The following policy applies with respect to gifts:

- a) Any official gift accepted by an individual director acting as a representative of MGA is a possession of the MGA.
- b) Any gift received as personal recognition for the individual director can be received for the personal benefit of such director-the director must declare any gifts with a value greater than \$100.00 to the MGA Board of Directors.

A director must decline to accept any gift, or series of gifts, where receipt of such gift or gifts could be perceived in a manner that would damage the reputation of the MGA. In particular, no gift can be accepted in circumstances where the party providing the gift is, or could be perceived to be, attempting to influence a decision or vote of MGA in matters concerning the MGA or any other body that MGA has a voting interest in.

**17.6 Disclosure**

MGA directors must submit annual declarations on the attached form dealing with conflict of interest and, if not previously disclosed, will make disclosure of particular transactions before any relevant board or committee action.

These reports will be reviewed annually by the Board of Directors.

**17.7 Implication of Breach of Conflict of Interest Policy:**

If it is determined that a director has violated the MGA Conflict of Interest Policy, the circumstances of such violation will be reviewed by the disinterested directors. If decided upon unanimously by the disinterested directors, the director who has violated the policy will be asked to resign from the Board of Directors.

The Board of Directors will take whatever steps it feels are appropriate under this policy to deal with any situation that cannot be properly resolved through the process described in the preceding paragraph.

**MANITOBA GYMNASTICS ASSOCIATION**

**ANNUAL DECLARATION CONCERNING CONFLICT OF INTEREST**

I have read the MGA policy regarding conflict of interest.

To the best of my knowledge and belief, except as disclosed herewith, neither I, nor a member of my immediate family is engaged in any transaction or activity, or has any relationship that may represent a potential competing or conflicting interest, as defined in the policy.

Further, to the best of my knowledge and belief, except as disclosed herewith, neither I, nor any member of my immediate family intends to engage in any transaction or acquire any interest in any organization or entity, or to become the recipient of become the recipient of any substantial gifts or favors as defined in the policy.

(A) Without exception \_\_\_\_\_

(B) Except as described in the attached statement \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## **SECTION 18: TRAVEL POLICY**

### **18.1 Introduction**

- a) The following travel policy is applied to all competitions that receive direct funding from the MGA Board of Directors (excluding club and program funded events).
- b) For MGA funded events where a Chef de Mission and manager are not named, the program responsible for the event will designate an individual to be the Head of Delegation.
- c) "Officials" are MGA ratified coaches, judges, managers, chaperones and Chefs de Mission.
- d) The MGA will require managers for the following events:
  - i) Western Canadian Championships
  - ii) Trampoline and Tumbling Western Canada Cup
  - iii) Canadian Championships
  - iv) Trampoline and Tumbling Canadian Championships
- e) On an annual basis the MGA will accept applications for the position of manager. Once applications have been received, they will be reviewed and interviews may be required to assist the MGA in the selection process.

### **18.2 Screening**

#### **18.2.1 Police Checks**

##### **18.2.1.1 Purpose**

Screening of staff and volunteers is an important part of providing a safe environment and has become a common practice among organizations in the non-profit sector that provide programs and services to youth in the community. This policy on Police Record Checks (PRCs) is one of several policy tools that MGA uses to promote a safe environment and to protect its members from harm.

##### **18.2.1.2 Policy Statement**

Not all individuals associated with MGA will be required to undergo screening through a PRC as not all positions pose a risk of harm to MGA or to its members. MGA will determine, based on the age of participants, setting, nature of the activity and degree of supervision, which designated categories of persons will be subject to screening through a PRC.

For the purposes of this policy, 'designated categories' are those classes of persons who work closely with minor athletes and who occupy positions of trust and authority within MGA. Such designated categories may include individuals in paid staff positions, members of the Board of Directors, coaches of provincial teams, volunteers appointed to accompany provincial teams to events or competitions, volunteers at major MGA-hosted events identified by MGA as requiring PRCs. All club coaches are strongly urged to undergo proper screening practices.

- a) It is MGA's policy that:
  - i) Individuals in designated categories will be screened using PRCs.
  - ii) PRCs will be mandatory for all individuals in designated categories. There will be no exceptions.

- iii) Failure to participate in the PRC process as outlined in this policy will result in ineligibility of the individual for the position.
- iv) MGA will not knowingly place in a designated category, or allow to remain in a designated category, an individual who has a criminal conviction for a 'relevant offence', as defined in this policy.
- v) Should an individual in a designated category receive a conviction for a relevant offence, he or she may face immediate expulsion at the discretion of MGA. An individual so expelled may be reinstated to membership upon written application to the MGA Board of Directors, whose decision on the request for reinstatement will be final and binding.
- vi) Should an individual receive a conviction for a relevant offense, be expelled from MGA, and have his or her reinstatement to membership denied by the MGA Board of Directors in accordance with paragraph (e), the individual may reapply in writing to the MGA Board of Directors for reinstatement to membership after a period of five years from the decision of the MGA Board of Directors to deny the application for reinstatement.
- vii) MGA has the final right of acceptance or refusal of any membership.

### **18.2.1.3 Policy Implementation**

This policy will be effective for 2017 and beyond:

- a) By March 1 of each competition year, all MGA appointed coaches and volunteers who plan on holding positions with provincial teams for the current year must have submitted to the MGA office a document that proves that the coach or volunteer has applied for a current PRC. The completed PRC must be received by the MGA office prior to the event/competition registration deadline.
- b) At its sole discretion and on a one-time basis, MGA may identify as designated categories certain volunteer positions at major events hosted by MGA and may request PRCs from such volunteers.
- c) PRCs are valid for a period of 1 year from the date of the completed PRC.
- a) Notwithstanding this, MGA may at any time request that an individual in a designated category provide an updated PRC if MGA has grounds to believe that the results of the PRC obtained previously are no longer accurate.

### **18.2.1.4 Procedure**

- a) Registered coaches of Member Clubs, or the Member Clubs themselves, are responsible for paying any fees associated with obtaining PRCs for their own use.
- b) MGA will receive and review all PRCs to determine whether the individual's PRC reveals a relevant offence. If an individual's PRC does not reveal a relevant offence, the individual is eligible for the position.
- c) If an individual's PRC reveals a relevant offence, the President/Executive Director will notify the individual that the individual is ineligible for the position.
- d) If the individual is found to be ineligible, the individual may request a hearing by the Disciplinary Committee. The procedure for application and hearing are outlined in the MGA Discipline Policy. The decisions of the Discipline Committee are final and binding.

#### **18.2.1.5 Relevant Offences**

For the purposes of this policy, 'relevant offences' are these offences for which pardons have not been granted and can include: any criminal offence involving the child pornography offenses; any violations for trafficking under the Controlled Drug and Substances Act; any crime of violence including assault; any criminal offence involving a minor or minors; any criminal offense involving theft, fraud or embezzlement; any sexual offence involving a minor or minors; or any other offence deemed relevant by MGA.

#### **18.2.1.6 Records**

Written records obtained in the course of implementing this Policy will be maintained in a confidential manner conforming to the Manitoba Personal Information Protection Act and will not be disclosed to others except as required by law, or for use in a legal or disciplinary proceeding.

#### **18.2.1.7 Responsibilities of Member Clubs**

MGA Member Clubs are **strongly** urged to implement proper screening protocol. Clubs may request advice from MGA regarding questionable PRCs. It is recommended that all screening activities be completed prior to confirming employment or commencement of job duties of coaches.

MGA Member Clubs are strongly encouraged to institute screening of PRCs for other Club positions, such as club Board Members, staff and volunteers who work closely with minor athletes and occupy positions of trust and authority.

#### **18.2.1.8 MGA Mission Staff**

- a) Potential Team Managers and Chef De Missions will submit PRCs no later than **30 days** prior to the beginning of the event.
- b) Team Managers or Chef de Mission who do not submit an up-to-date PRC within the requisite timeframe will not be eligible for selection.
- c) Extenuating circumstances can be brought to the attention of the President/Executive Director of MGA.

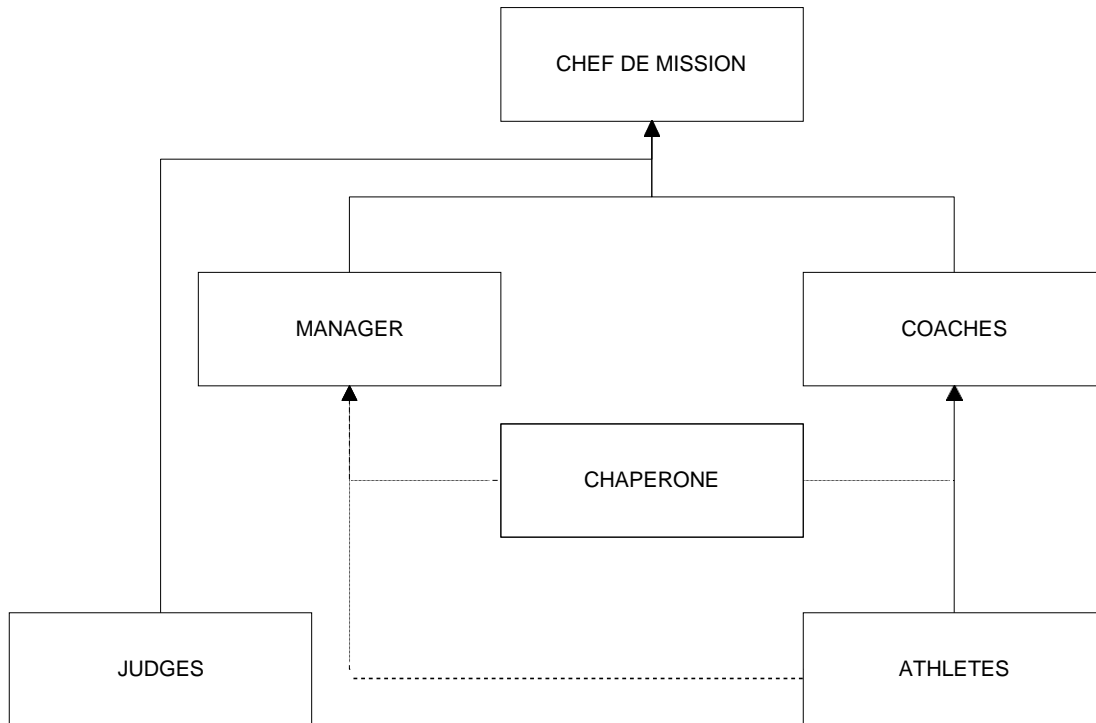
#### **18.2.1.9 Penalties for Non-Compliance**

Team coach(es) who do not submit an up-to-date PRC within the requisite timeframe will be ineligible for selection.

### **18.3. Lines of Authority**

- a) At Western Canadian Championships and Canadian Championships, the Chef de Mission is the ultimate authority. The Chef de Mission will be the official spokesperson on behalf of the MGA Board of Directors.
- b) For other MGA funded events, the Head of Delegation is the ultimate authority. The Head of Delegation is not a spokesperson on behalf of the MGA Board of Directors.
- c) The manager is in charge of day-to-day operations while on a competitive trip. The manager is accountable to the Chef de Mission or Head of Delegation (Please see Appendix B – MGA Team Manager's Checklist for Westerns and Nationals).

- d) Coaches are in charge of the athletes' preparedness as members of a team, including curfew, outings, menu, etc. Coaches are accountable to the manager, and ultimately the Chef de Mission or Head of Delegation.
- e) The chaperone, where named, is to assist coaches and manager with the day-to-day activities of the team. The chaperone is accountable to the manager, and ultimately the Chef de Mission or Head of Delegation.
- f) Judges are accountable to the Chef de Mission or Head of Delegation.



#### 18.4 Athletes

- a) Athletes traveling on behalf of the MGA must sign the MGA Code of Conduct form that outlines expectations and responsibilities. (Appendix A – Section 18)
- b) Athletes are prohibited the use, or possession, of alcohol.
- c) Use, possession, or being in the presence, of illicit drugs, narcotics, or banned performance enhancing drugs or methods by athletes is prohibited.
- d) Athletes must inform coaches of any pertinent medical information such as medication or allergies.
- e) Athletes must understand that vandalism will not be tolerated. The Chef de Mission or Head of Delegation will have the authority to return the individual to their home at their expense. Any cost incurred due to vandalism will be the responsibility of the athlete (or parent/guardian).
- f) Athletes will not be allowed to leave the delegation without the permission of their coach



or manager. Underage athletes may be allowed to leave the delegation, but only with a written letter from their parent or guardian prior to departure for the competition (i.e.: to visit relatives).

- g) Athletes will represent the MGA in a manner befitting the MGA on and off the floor of an event.
- h) Athletes are obligated to abide by any rules that a coach or manager may set, which are approved by the Chef de Mission or Head of Delegation.
- i) All team members must travel by transportation designated by the MGA, and at the same time as other team members, unless previously arranged through the Executive Director.

#### **18.5. Transportation**

- a) The Executive Director is only responsible for official team members' travel arrangements.
- b) When making travel arrangements, the first factors of consideration will be the cost involved, as well as the teams' optimum performance.
- c) All travel arrangements will be made through the MGA travel agent.
- d) All financial charges in the MGA's name must be incurred for official MGA business, unless pre-authorized by the Executive Director.

#### **18.6 Accommodations**

- a) The MGA will only fund room charges. Incidentals will not be funded by the MGA.
- b) Athletes will be housed four per room, unless they are adults.
- c) Athletes are members of the Manitoba delegation and therefore must stay in rooms reserved by the MGA.
- d) Officials will be housed two per room.
- e) Single accommodation may be requested if half of the room charge is paid by the occupant. In the event that additional costs are incurred by the MGA because of a request of this nature, the requester will be responsible for that, as well.
- f) The Chef de Mission, Head of Delegation and manager will occupy single rooms, if available.
- g) Coaches will be housed in near proximity to the athletes, if possible.

#### **18.7 Ground Transportation**

- a) Vehicles will be rented in advance, except in extreme circumstances.
- b) Care and caution will be used in assigning drivers. All passengers in the vehicles must wear seat belts.
- c) Vehicles will be used for scheduled event activities only.

- d) When necessary, the most economical and efficient method of transportation will be used (i.e.: airport bus vs. taxi, taxi vs. limousine)

## **18.8 Funding**

- a) The MGA will provide funding, when available, for the following competitions:
- Artistic Westerns Canadian Championships
  - Trampoline and Tumbling Western Canada Cup
  - Artistic Canadian Championships
  - Trampoline and Tumbling Canadian Championships
- b) Funding will be provided to the athletes on a cost-shared basis (percentage to be determined each year by the Board of the MGA).
- c) Officials/Coaches/Managers/Chef expenses are borne by the MGA.
- d) The MGA will fund the necessary compliment of adult personnel.

## APPENDIX A

### MGA TEAM MANAGER'S CHECKLIST FOR WESTERNS AND CANADIANS

What follows is a checklist to be used by the manager of Manitoba teams for the competitions Westerns and Canadians (Men's and Women's, T&T):

ITEM	COMPLETED
<b>MGA Travel Policy</b> <ul style="list-style-type: none"> <li>• All managers appointed by the MGA must be familiar with the MGA Policy and Procedures.</li> </ul>	
<b>Airline Tickets for Team</b> <ul style="list-style-type: none"> <li>○ Receive tickets from the MGA office.</li> <li>○ Return tickets to the MGA office for possible rebate following event.</li> </ul>	
<b>Accommodations</b> <ul style="list-style-type: none"> <li>○ Rooming list for hotel</li> <li>○ Sign bill upon departure (room &amp; tax only), retain bill and submit to the MGA office.</li> </ul>	
<b>Internal Transportation</b> <ul style="list-style-type: none"> <li>○ Collect confirmation numbers for vans from the MGA office.</li> <li>○ Sign for the vans.</li> <li>○ Ensure that all Manitoba delegates transported are wearing a seat belt.</li> <li>○ Drive the vans.</li> </ul>	
<b>Uniforms</b> <ul style="list-style-type: none"> <li>○ Ensure that all gymnasts have a MGA tracksuit and appropriate competitive attire.</li> <li>○ Contact the MGA for additional suits.</li> </ul>	
<b>Meet with Team Prior to Departure</b> <ul style="list-style-type: none"> <li>○ Team meeting.</li> <li>○ Collect Athlete Agreements.</li> <li>○ Explain that designated uniforms are worn for travel, competition and other functions.</li> <li>○ Take a team photograph.</li> <li>○ Confirm that all medical forms have been received and signed by a parent or guardian and submitted to the MGA.</li> <li>○ Ensure that all team members receive the information package at the team meeting.</li> <li>○ Ensure all team members have a travel schedule listing arrival and departure times.</li> </ul>	
<b>Traveling with Athletes by Air</b> <ul style="list-style-type: none"> <li>○ Meet athletes at designated point of departure.</li> <li>○ Ensure all luggage is tagged.</li> <li>○ Present all tickets to ticket agent and hand out boarding passes prior to going through security.</li> </ul>	
<b>Arrival at Destination</b> <ul style="list-style-type: none"> <li>○ Ensure that everyone has all their luggage.</li> <li>○ Go to van rental counter and sign paperwork for rental vans.</li> <li>○ Travel together to accreditation site.</li> <li>○ After accreditation, go to accommodation site where rooms are assigned and keys issued.</li> <li>○ Obtain a complete list of room numbers with names of athletes in each of the rooms.</li> <li>○ Set up a time for a team meeting.</li> <li>○ Find out where the training and competition sites are located.</li> </ul>	

<p><b>Competition</b></p> <ul style="list-style-type: none"> <li>○ Managers should keep valuables for coaches and athletes during training and competition.</li> <li>○ Ensure the teams know the dress code, location and times of both opening ceremonies and medal presentations.</li> <li>○ Obtain copies of all official results, and submit them within the official report to the MGA.</li> </ul>	
<p><b>Accident, Injury, and Illness Reports</b></p> <ul style="list-style-type: none"> <li>○ It is imperative that a report be filed for each and any occurrence. <ul style="list-style-type: none"> <li>○ Seek immediate medical attention.</li> <li>○ Arrange to have the other team members looked after by designated coach or the Chef de Mission.</li> <li>○ If possible, contact parents or emergency contact person before treatment is initiated.</li> <li>○ Ensure that all relevant medical information, authorization for treatment and health card number go to the hospital with the athlete.</li> <li>○ Ask hospital to contact athlete's personal physician.</li> <li>○ Authorize only minimal treatment to stabilize athlete; the athlete's personal physician should attend to corrective surgery not immediately needed.</li> </ul> </li> </ul>	
<p><b>Banquet</b></p> <ul style="list-style-type: none"> <li>○ Remind athletes that behavior at the banquet and dance should reflect the fact that athletes are representing Manitoba.</li> </ul>	
<p><b>Departure from Airport</b></p> <ul style="list-style-type: none"> <li>○ Meet athletes at designated point of departure.</li> <li>○ Ensure all luggage is tagged.</li> <li>○ Present all tickets to ticket agent and hand out boarding passes once through security.</li> </ul>	
<p><b>Arrival at Home Destination</b></p> <ul style="list-style-type: none"> <li>○ Ensure that all athletes have been returned to the safe care of the parents or guardians.</li> <li>○ Write a short summary of the trip and any complications</li> <li>○ Attach official results of the competition.</li> <li>○ Keep all airline tickets and submit these to the MGA office upon return.</li> </ul>	

**APPENDIX B**

**MGA INCIDENT REPORT FORM**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

• Nature of the incident: \_\_\_\_\_

• General description of the incident:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Persons involved in the incident:

a) Name: \_\_\_\_\_ City: \_\_\_\_\_ Phone: \_\_\_\_\_

Individual's role in the incident was:

\_\_\_\_\_

b) Name: \_\_\_\_\_ City: \_\_\_\_\_ Phone: \_\_\_\_\_

Individual's role in the incident was:

\_\_\_\_\_

c) Name: \_\_\_\_\_ City: \_\_\_\_\_ Phone: \_\_\_\_\_

Individual's role in the incident was:

\_\_\_\_\_

d) Name: \_\_\_\_\_ City: \_\_\_\_\_ Phone: \_\_\_\_\_

Individual's role in the incident was:

\_\_\_\_\_

e) Name: \_\_\_\_\_ City: \_\_\_\_\_ Phone: \_\_\_\_\_

Individual's role in the incident was:

\_\_\_\_\_

What, in your opinion, was the cause of the incident?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MGA INCIDENT REPORT FORM**

Do you think this incident could have been prevented? If so, how?

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What procedures did you carry out following the incident?

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Did you encounter any difficulties?

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Statements of witness and signature.

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I verify this to be a true report of the incident.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_