



CODE OF CONDUCT POLICIES & PROCEDURES

VERSION 6



ONTARIO MINOR HOCKEY ASSOCIATION CODE OF CONDUCT POLICIES & PROCEDURES

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CODE OF CONDUCT POLICIES & PROCEDURES

1.0 INTRODUCTION

- 1.1** This Code of Conduct identifies the standard of behaviour which is expected of all Ontario Minor Hockey Association (“OMHA”) members and participants, including but not limited to, all players, guardians, parents, coaches, officials, volunteers, directors, officers, committee members, convenors, team managers, trainers and administrators involved in any OMHA sanctioned activities and events.
- 1.2** The OMHA is committed to providing an environment in which all individuals are treated with respect. Members and participants of the OMHA shall conduct themselves at all times in a manner consistent with the values of the OMHA which includes fairness, integrity and mutual respect.
- 1.3** During the course of all OMHA activities and events, members shall avoid behaviour which brings the OMHA or the sport of hockey into disrepute, including but not limited to, misuse of alcohol or drugs and the use of alcohol or drugs by minors.
- 1.4** OMHA members and participants shall at all times adhere to the OMHA's operational Policies and Procedures, to the Rules and Regulations governing OMHA events and activities, and to the Rules and Regulations governing any competitions in which the member participates on behalf of the OMHA. Members and participants of the OMHA shall not engage in any activity or behaviour which interferes with a competition or with any player's or team's preparation for a competition, or which endangers the safety of others.
- 1.5** The OMHA is committed to providing an environment that is safe, accessible, and inclusive in which all individuals are treated with respect and in an environment free from maltreatment, harassment, bullying and misconduct.
- 1.6** Failure to comply with this Code of Conduct may result in disciplinary action, including but not limited to, the loss or suspension of certain or all privileges connected with the respective Member Association in the OMHA including the opportunity to participate in the OMHA and its Member Association activities and events, both present and future.
- 1.7** The President or his/her Designate may abridge any time frame imposed by these policies.

2.0 APPLICATION

- 2.1** These Policies and Procedures are intended to deal with matters relating to discipline for breaches or violations of the OMHA Code of Conduct and the Social Media Policy.
- 2.2** These Policies and Procedures apply to all categories of members and participants of the OMHA.
- 2.3** These Policies and Procedures outline discipline for breaches of the Code of Conduct and the Social Media Policy including maltreatment, harassment, bullying and misconduct which may arise during the course of all OMHA activities and events. This includes, but is not limited to:
- Any hockey activities which are sanctioned by Hockey Canada, Ontario Hockey Federation (“OHF”), OMHA or Local Minor Hockey Associations;
 - When the Registered Participants involved interact due to their mutual involvement in hockey sanctioned by Hockey Canada, the OHF, the OMHA or a Local Minor Hockey Association; or
 - Any behaviour in violation of the Codes of Conduct of Hockey Canada, of the OHF, of the OMHA or of a Local Minor Hockey Association. Depending on the type of offence, and the Policies and Procedures set out herein, intake, investigation and discipline shall be dealt with by either the Hockey Canada Safe Sport/Independent Third Party (“ITP”) Complaint process, the OMHA or the Local Minor Hockey Association.
- 2.4** These Policies and Procedures shall not prevent an OMHA representative in a position of authority from taking immediate action in response to behaviour that is considered a contravention of the OMHA Code of Conduct where such action is deemed necessary. The OMHA representative must remove the alleged offender(s) from sanctioned activity and immediately report the incident to the OMHA Risk Management Officer for direction.

2.5 Confidentiality

The OMHA recognizes the sensitive and the potentially serious nature of Complaints and will strive to keep all matters relating to Complaints confidential. However, if required by law to disclose information, the OMHA will do so.

All reasonable efforts will be taken to protect the identities of the Complainant and the Respondent throughout any Investigation. However, it is recognized that maintaining full anonymity during an Investigation may not be feasible.

3.0 TYPES OF INFRACTIONS & REPORTING

3.1 Under these Policies and Procedures, infractions which may warrant discipline include, but is not limited to:

- a) **Serious Misconduct** – these are infractions which involve incidents of “Serious Misconduct” including maltreatment, harassment and bullying.
- b) **Major Infractions** - these are infractions under the OMHA Code of Conduct which are more serious and may warrant disciplinary action as specified herein. These do not include incidents of “Serious Misconduct” including maltreatment, harassment and bullying.

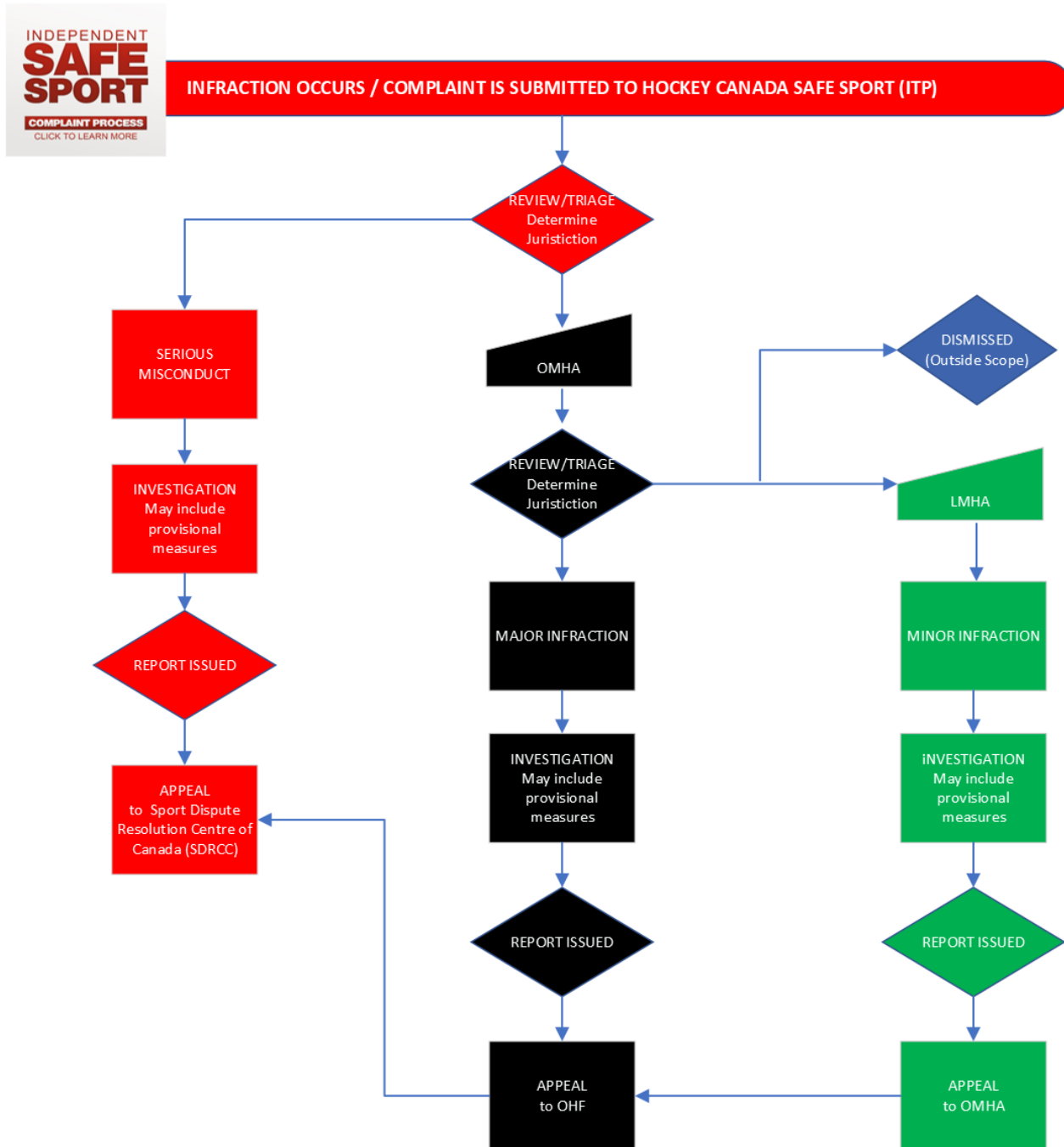
Hockey Canada has engaged an Independent Third Party (ITP) to oversee all Code of Conduct Complaints.

All Complaints of Serious Misconduct and Major Infractions must be submitted through the [Hockey Canada Safe Sport/Independent Third Party \(“ITP”\) Complaint process](#). If the OMHA receives a Complaint of Serious Misconduct directly, it will immediately refer the matter to the ITP.

ITP may take jurisdiction of these Complaints or may refer to the OMHA for review and may also warrant imposing interim sanctions by the OMHA.

- c) **Minor Infractions** - these are infractions under the OMHA Code of Conduct which are less serious than Major Infractions. These Complaints will in most cases be dealt with by the Local Minor Hockey Association, after which they may be appealed to the OMHA.

These infractions may also warrant imposing interim sanctions by either the OMHA or the Local Minor Hockey Association.



4.0 SERIOUS MISCONDUCT

4.1 Serious Misconduct

“Serious Misconduct” means any allegation of misconduct, which in the estimation of the ITP constitutes a significant or flagrant violation of a Hockey Canada or Member Policy or Code of Conduct. Examples of Serious Misconduct may include, but are not limited to, the following situations:

- i. Sexual Maltreatment or sexual misconduct of any kind, including threats of Sexual Maltreatment or sexual misconduct;
- ii. Allegations of Grooming;
- iii. An abuse of a Power Imbalance;
- iv. Major incidents of violence outside of gameplay;
- v. An incident of racism or other discriminatory conduct during an OMHA sanctioned event, including those which were not called as a penalty on the ice in accordance with Hockey Canada Playing Rules;
- vi. An incident of violence or threatened violence by a coach or staff member against a player;
- vii. An incident or series of incidents of bullying or harassment;
- viii. Fraud against Hockey Canada or a Member; and
- ix. Conduct which constitutes child abuse under relevant child protection legislation or a crime pursuant to the *Criminal Code*.

4.2 Reporting of Serious Misconduct

All complaints of Serious Misconduct must be submitted through the [Hockey Canada Safe Sport/Independent Third Party \(“ITP”\) Complaint process](#). ITP will be responsible for the administration of Complaints of “Serious Misconduct”, which will include accepting and screening, and determining the procedure that will be followed with respect to each Complaint.

Complaints over which the ITP does not assume jurisdiction will be referred to the OMHA for review.

Anyone who is subject to this Code of Conduct and who has reasonable grounds to suspect that a minor is or may be suffering or may have suffered from any form of child abuse (including maltreatment, harassment or bullying), in addition to reporting the incident to the ITP, has a legal obligation to immediately report the suspicion and the information on which it is based to the Ontario child protection authorities and/or the police.

5.0 MAJOR INFRACTIONS

5.1 Major Infractions

Situations involving Major Infractions, include, but are not limited to, the following:

- a) Repeated unsportsmanlike conduct such as angry outbursts or arguing;
- b) Activities or behaviour which interferes with the organization of a competition or with any player's or team's preparation for a competition;
- c) Any activity which endangers the safety of others;
- d) Deliberate disregard for the Rules, Regulations and Policies of the OMHA;
- e) Abusive use of alcohol including any use of alcohol by minors.
- f) Use of illicit drugs and narcotics, including the use of, or condoning the use of, banned performance enhancing drugs or methods;
- g) Lack of reporting, activity or action of a Local Minor Hockey Association; and
- h) Any other complaint or infraction which is considered serious.

5.2 Reporting of Major Infractions

All complaints of Major Infractions must be submitted through the [Hockey Canada Safe Sport/Independent Third Party \("ITP"\) Complaint process](#). ITP will be responsible for the administration of Complaints of "Serious Misconduct", which will include accepting and screening, and determining the procedure that will be followed with respect to each Complaint.

Complaints over which the ITP does not assume jurisdiction will be referred to the OMHA for review.

The OMHA may decide not to investigate a Major Infraction Complaint if it is of the opinion that it is:

- a) Considered a Minor Complaint;
- b) More appropriately dealt with under another Policy, Rule or Regulation within the OMHA or a Local Minor Hockey Association;
- c) Frivolous, vexatious or made in bad faith;
- d) Not within the governing body's jurisdiction, i.e. player selection; or
- e) Based on occurrences that are more than six (6) months old.

Upon review and determination of the course of action, the OMHA will advise the Complainant accordingly.

If the President or OMHA Risk Management Officer determines the Complaint should be dealt with by the Local Minor Hockey Association named in the Complaint, the Complainant, Respondent and President of the Local Minor Hockey Association named in the Complaint will be advised that the Complaint is being sent to the Local Minor Hockey Association. The Local Minor Hockey Association shall provide the OMHA with their Investigative Report as well as subsequent updates of the handling of the Complaint, including any sanctions imposed.

All sanctions, including any suspensions assessed by the Local Minor Hockey Association, must be reported in writing to the OMHA Risk Management Officer, within seven (7) business days of the sanction being rendered.

If the matter is heard at the Local Minor Hockey Association level, the decision of the Local Minor Hockey Association may be appealed to the OMHA in accordance with Article 8 herein.

6.0 MAJOR INFRACTION INVESTIGATION PROCESS & HEARING

6.1 If the President or the OMHA Risk Management Officer decides that a Complaint will be dealt with by the OMHA as a Major Infraction, the Complainant, Respondent and President of the Association named in the Complaint will be advised that the Complaint is being investigated by the OMHA and of any interim sanction(s) which may be imposed by the President or his/her Designate no later than five (5) business days from the date of the OMHA's receipt of the Complaint.

6.2 Fact Finding Investigation

Once it is decided that a Complaint will be treated as a Major Infraction the OMHA Risk Management Officer will then assign an OMHA Fact Finding Investigator to conduct the Investigation.

The OMHA Fact Finding Investigator shall carry out an Investigation within ten (10) business days (or such other reasonable time as the President or his/her Designate shall allow) and at the conclusion of the Investigation shall submit a written summary to the Risk Management Officer.

The Risk Management Officer within seven (7) business days (or such reasonable time as the President or his/her Designate shall allow) of receiving the findings of the Fact Finding Investigator shall prepare and submit a written Report to the President or his/her Designate for review. Upon review, the President or his/her Designate may then:

- a) Rule that the Complaint is unsubstantiated, therefore without merit;
- b) Rule that the Complaint is outside of the jurisdiction of the investigating body;
- c) Continue or rescind any Interim Sanctions previously imposed or impose additional or new Sanctions; or
- d) May refer the Complaint to a Code of Conduct Hearing.

6.3 Code of Conduct Hearing

Should the President or his/her Designate determine that a Code of Conduct Hearing ("Hearing") is to proceed, the President or his/her Designate will then appoint three (3) individuals to serve as the Code of Conduct Hearing Panel (the "Panel") and shall also appoint one (1) of the three (3) persons to serve as the Chairperson of the Panel.

The Panel shall hold the Hearing within twenty-one (21) business days from the President's or his/her Designate's appointment of a Panel, unless otherwise determined by the President or his/her Designate acting reasonably in the circumstances.

The Panel has the power to impose sanctions as set out in Section 6.8 herein.

- 6.4** The Panel shall govern the Hearing as it sees fit, provided that:
- a) The individual being disciplined or the Complainant and Respondent shall be given seven (7) business days written notice (by any of email, courier, registered mail or fax) of the day, time and place of the Hearing. The Panel may decide to conduct the Hearing in person, by telephone conference call or by video conference call.
 - b) All parties shall receive a copy of the Complaint, and/or the Local Minor Hockey Association's decision, and any other relevant documentation unless otherwise determined by the President or his/her Designate.
 - c) A quorum shall be all three (3) Panel members and decisions shall be by a majority vote where the Chairperson casts a vote.
 - d) Both the Complainant and Respondent shall be given the opportunity to be present at the Hearing, may have legal representation, and shall have a reasonable opportunity to present evidence and argument. The Panel or the OMHA may also have its own representative/counsel.
 - e) The Panel may request that witnesses to the incident be present or submit written evidence which is certified by a Notary Public.
 - f) If at any point in the proceedings, the Complainant becomes reluctant or refuses to participate in the Hearing, it shall be at the sole discretion of the Panel whether to continue the Hearing and the review of the Complaint in accordance with the Policies and Procedures set out herein.
 - g) Once appointed, the Panel shall have the authority to abridge or extend timelines associated with all aspects of the Hearing.
 - h) Copies of any written documents which any of the parties would like the Panel to consider shall be provided to the Panel, and to all other parties, at least five (5) business days in advance of the Hearing.

- 6.5** The Panel shall render its decision within fourteen (14) business days of the Hearing and submit a written Report to the President or his/her Designate. A copy of this decision shall be provided to all of the parties of the Hearing.

This report shall contain, but shall not be limited to, the following:

- a) A summary of the relevant facts;
- b) A determination as to whether the acts complained of constitute an infraction;
- c) Any sanctions to be imposed; and
- d) Measures to remedy or mitigate the harm or loss suffered by the Complainant.

- 6.6** Where the facts of the incident can be agreed upon, the Respondent may waive the Hearing, in which case the Panel shall be authorized to render the appropriate sanction(s) or may hold a Hearing solely for the purpose of determining an appropriate sanction(s).

6.7 If the Respondent chooses not to participate in the Hearing, the Hearing may be held in their absence.

6.8 Sanctions for Major Infractions

The Panel may impose disciplinary sanctions for Major Infractions. These sanctions may include, but are not limited to, any of the following, including any combination of the following:

- a) Written reprimand to be placed in the individual's file;
- b) Requiring an individual to provide a written or verbal apology;
- c) Suspension from certain OMHA events which may include suspension from current games or competitions or from future games or competitions;
- d) Suspension from certain or all OMHA activities (e.g., competing, coaching or officiating) for a designated period of time;
- e) Referral to counseling;
- f) Removal of certain privileges of membership; or
- g) Any other sanction(s) as may be deemed appropriate in the circumstances.

6.9 Factors to be considered when sanctions are to be imposed for Major Infractions

In applying sanctions, the Panel responsible for the matter may have regard to the following aggravating or mitigating circumstances:

- a) The nature and severity of the offence;
- b) The individual's acknowledgment of responsibility;
- c) The individual's extent of remorse;
- d) The age, maturity or experience of the individual;
- e) The individual's prospects for rehabilitation;
- f) Whether the incident involved any physical contact;
- g) Whether the incident was an isolated incident or part of an ongoing pattern;
- h) The nature of the relationship between the Complainant and the individual;
- i) Whether the individual had been involved in previous incidents;
- j) Whether the individual admitted responsibility and expressed a willingness to change;
- k) Whether the individual retaliated against the Complainant; and
- l) Any other factor(s) the Panel deems to be relevant.

Notwithstanding the process set out herein, any member or participant of the OMHA who is convicted of, or is being investigated for a criminal offence may face an indefinite suspension from participating in any activities of the OMHA and may face further disciplinary action in accordance with the Policies and Procedures set out herein.

Failure to comply with a sanction shall result in an automatic suspension of membership in the OMHA or in organizations affiliated with the OMHA, until such time as the sanction is fulfilled.

6.10 Appeal of Code of Conduct Decisions

Any decision may be appealed to the OHF.

7.0 MINOR INFRACTIONS INVESTIGATION PROCESS

- 7.1** Situations involving Minor Infractions shall include, but are not limited to, the following:
- a) Unsportsmanlike conduct such as angry outbursts or arguing;
 - b) Non-compliance with the rules and regulations under which OMHA events are carried out; or
 - c) Any complaint or infraction not considered Serious Misconduct or Major in nature.

7.2 Reporting of Minor Infractions

Complaints of Minor Infractions may be submitted directly to the Local Minor Hockey Association (LMHA) or may be referred to the LMHA by the OMHA.

A Minor Infraction will be dealt with at the Local Minor Hockey Association by an Association representative in a position of authority designated by the Local Minor Hockey Association to handle such matters.

The Local Minor Hockey Association shall have clearly defined procedures in place to deal with Minor Infractions, including designating an individual responsible for the handling of same. The procedures must ensure the individual being disciplined is advised of the infraction and provided a reasonable opportunity to set out their position concerning the incident.

When handling a Complaint or Infraction the Local Minor Hockey Association must conduct a thorough Investigation. The Local Minor Hockey Association has the power to discipline, sanction and/or suspend any member or participant for a Minor Infraction under its Policies and Procedures. Although Minor Infractions will generally be dealt with by the Local Minor Hockey Association, a Local Minor Hockey Association may refer a Minor Infraction to the OMHA Risk Management Officer, who may or may not agree to accept the referral.

7.3 Sanctions for Minor Infractions

Whether the matter is investigated by the Local Minor Hockey Association or the OMHA, the following disciplinary sanctions may be imposed:

- a) Verbal reprimand;
- b) Written reprimand to be sent to the individual;
- c) Requiring an individual to provide a written or verbal apology;
- d) Removal from any position held at the Team, Local Minor Hockey Association or at the OMHA level.
- e) Suspension for a specified number of games or period of time; or
- f) Any other sanction(s) as may be deemed appropriate in the circumstances.

All sanctions, including any suspensions assessed by the Local Minor Hockey Association, must be reported in writing to the OMHA Risk Management Officer, within seven (7) business days of the sanction being rendered.

7.4 Appeals

Where a Minor Infraction Complaint has been adjudicated by the Local Minor Hockey Association, the decision rendered can then be appealed by way of an OMHA Code of Conduct Minor Infraction Appeal as set out in Section 8 herein.

If the OMHA has adjudicated a Minor Infraction Complaint, then the decision rendered by the OMHA can be appealed to the OHF.

8.0 CODE OF CONDUCT MINOR INFRACTIONS APPEAL HEARING

- 8.1** Both the Complainant and Respondent shall have the opportunity to appeal a final decision and/or sanctions imposed by a Local Minor Hockey Association relating to a Minor Infraction to the Code of Conduct Minor Infraction Appeal Panel.
- 8.2** Upon receipt of any Code of Conduct Minor Infraction Appeal (“Appeal”), the President or his/her Designate in consultation with the OMHA Risk Management Officer will determine if sufficient grounds exist for an Appeal Hearing to proceed.
- 8.3** Sufficient grounds for an Appeal to proceed to a Hearing include, but are not limited to, the following:
- a) The Local Minor Hockey Association making a decision for which it did not have authority or jurisdiction as set out in the OMHA Code of Conduct Policies and Procedures;
 - b) The Local Minor Hockey Association failing to follow the Procedures as set out herein;
 - c) The Local Minor Hockey Association making a decision which 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;
 - d) The Local Minor Hockey Association exercising its discretion for an improper purpose;
 - e) The Local Minor Hockey Association making a decision which was unreasonable based on the facts;
 - f) Any other grounds which the President or his/her Designate in consultation with the OMHA Risk Management Officer deems sufficient to grant an Appeal (and which grounds need not be disclosed); or
 - g) The Local Minor Hockey Association conducting an Investigation of a matter involving a Major Infraction as defined at pages 4 and 6 above.

8.4 Screening of the Code of Conduct Minor Infraction Appeal

Within seven (7) business days of receiving the Notice of Appeal, the President or his/her Designate in consultation with the OMHA Risk Management Officer shall decide whether or not the Appeal is based on one or more of the categories as set out in Section 8.3 above.

The President or his/her Designate or OMHA Risk Management Officer shall not make a decision as it relates to the merits of the Appeal.

If the request for an Appeal is denied, the Appellant shall be notified of this decision in writing, giving reasons as to why the Appeal is denied. This decision as to whether to appoint a Minor Infraction Appeal Panel is at the sole discretion of the President or his/her Designate or OMHA Risk Management Officer and may only be appealed to the OHF.

8.5 Code of Conduct Minor Infraction Appeal Panel

If the President or his/her Designate or OMHA Risk Management Officer is satisfied that there are sufficient grounds for an Appeal to proceed, then, within fourteen (14) business days of having received the original Notice of Appeal, the President or his/her Designate shall appoint a Code of Conduct Minor Infraction Appeal Panel (the "Appeal Panel"). The Appeal Panel shall be comprised of three (3) individuals who have no involvement with the matter being appealed or to the Local Minor Hockey Association, and shall be free of any actual or perceived bias or conflict as determined by the President or his/her Designate, who shall also select an Appeal Chairperson.

8.6 Timing of the Code of Conduct Minor Infraction Appeal

An individual who wishes to appeal the final decision rendered by their Local Minor Hockey Association to the Appeal Panel shall have seven (7) business days from the date the decision is received to submit a written notice of their intention to appeal, along with detailed reasons for the Appeal, to the OMHA.

These Appeals must be submitted to the OMHA using the OMHA Code of Conduct Appeal Form available from the OMHA Office and/or the OMHA website.

Any party wishing to initiate an Appeal beyond the seven (7)-day period must provide a written request stating reasons for an exemption along with detailed reasons for the Appeal. The decision whether or not to accept a late request shall be at the sole discretion of the President or his/her Designate.

8.7 Code of Conduct Minor Infraction Appeal Preliminary Conference

The Appeal Panel may determine that the circumstances of the dispute warrant that a preliminary conference be held.

The matters which may be considered at a preliminary conference include the date and location of Appeal Hearing, the timelines for exchange of documents, the format for the Appeal Hearing, clarification of any issues in dispute, any procedural matter, the order and procedure of the Appeal Hearing, the remedies being sought, the identification of witnesses, the determination of any preliminary questions or issues and any other matter which may assist in expediting the Appeal proceedings.

The Appeal Panel may delegate to its Appeal Chairperson the authority to deal with these preliminary matters individually.

8.8 Code of Conduct Minor Infraction Appeal Location

Any Appeal Hearing shall take place in the geographic region where the infraction originated or a location as determined by the President or his/her Designate, unless held by way of telephone conference call or video conference call or held elsewhere as may be decided by the Appeal Panel as a preliminary matter.

8.9 Procedure for the Code of Conduct Minor Infraction Appeal

The Appeal Panel shall govern the Appeal by such procedures as it deems appropriate, provided that:

- a) The Appeal Hearing shall be held within fourteen (14) business days of the Appeal Panel's appointment, unless otherwise determined by the President or his/her Designate acting reasonably in the circumstances.
- b) The Appellant, Respondent and affected parties shall be given seven (7) business days written notice of the date, time and place of the Appeal Hearing.
- c) Decisions shall be by majority vote, where the Appeal Chairperson carries a vote.
- d) Copies of any written documents which any of the parties would like the Appeal Panel to consider shall be provided to the Appeal Panel, and to all other parties, at least five (5) business days in advance of the Appeal Hearing.
- e) Both the Complainant and Respondent shall be given the opportunity to be present at the Appeal hearing, may have legal representation, and shall have a reasonable opportunity to present evidence and argument. The Appeal Panel or the OMHA may also have its own representative/counsel.
- f) The Appeal Panel may direct that any other individual participate in the Appeal Hearing.
- g) In the event that one of the Appeal Panel's members is unable or unwilling to continue with the Appeal Hearing, the President or his/her Designate shall appoint a replacement.
- h) Unless otherwise agreed by the parties, there shall be no communication between Appeal Panel members and the parties regarding the matter except in the presence of, or by copy to, the other parties.

8.10 Code of Conduct Minor Infraction Appeal Decision

Within seven (7) business days of concluding the Appeal Hearing, the Panel shall issue its written decision, with reasons. In making its decision, the Appeal Panel shall have no greater authority than that of the original decision-maker.

The Appeal Panel may decide:

- a) To void or confirm the decision being appealed;
- b) To vary the decision where it is found that an error occurred and such an error cannot be corrected by the original decision-maker for reasons which include, but are not limited to, lack of clear procedure, lack of time, or lack of neutrality; or

c) Such other action or decision it deems appropriate.

A copy of this decision shall be provided to each of the parties and to the President or his/her Designate.

8.11 Code of Conduct Minor Infraction Appeal Timelines

At its sole discretion, the President or his/her Designate or the Appeal Panel may abridge or extend the timelines in the Policies and Procedures set out herein.

8.12 Code of Conduct Minor Infraction Documentary Appeal

Any party to the Appeal may request that the Appeal Panel conduct the Appeal Hearing by way of written submissions, including relevant documents and/or other evidence but without an in-person Hearing. The Appeal Panel may seek agreement from all parties to proceed in this fashion. If an agreement is not forthcoming, the Appeal Panel shall decide whether the Appeal Hearing shall proceed by way of documentary evidence or by in-person Hearing.

8.13 Appeal of Code of Conduct Minor Infraction Appeal Decisions

Any party may appeal the decision of the Appeal Panel to the OHF.

Appendix A: DEFINITIONS

The following are definitions that will be used to determine the grounds on which the Complaint is made and the process to address it.

The OMHA acknowledges and supports Hockey Canada's definitions of maltreatment, harassment, and bullying.

Harassment

Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions. **Any of the different forms of harassment must be based on a prohibited ground of discrimination as defined in the Ontario Human Rights Code.**

Types of behaviour which constitute harassment include, but are not limited to:

- i. Unwelcomed jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation;
- ii. Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance;
- iii. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
- iv. Unwanted or unnecessary physical contact including touching, patting or pinching;
- v. Any form of hazing;
- vi. Any form of physical assault or abuse;
- vii. Any sexual offence;
- viii. Behaviours such as those described above which are not directed towards individuals or groups but which have the effect of creating a negative or hostile environment;
- ix. Unwelcomed behaviour of one individual towards another which the individual ought to have known would be unwanted

Maltreatment

A volitional act and/or omission that results in harm or has the potential for physical or psychological harm.

Misconduct

Misconduct refers to the behaviour or a pattern of behaviour that is found, by a formal (for example an independent investigation) or informal process (for example an internal fact finding); to be contrary to the OMHA Code of Conduct and that is not "Serious Misconduct".

Appendix B: SOCIAL MEDIA POLICY

Introduction

The OMHA's Social Media Policy applies to all members of the OMHA Community. This includes Local Minor Hockey Associations' Directors and staff, teams, on-ice and off-ice officials, players, players' family members and supporters.

The OMHA recognizes and appreciates the value of social media and the importance of social networking to all of its stakeholders. The OMHA also respects the right of all teams and Local Minor Hockey Association personnel to express their views publicly.

This Social Media Policy applies to all public communications through all social media platforms that allow users to communicate online.

The purpose of this Social Media Policy is to educate Local Minor Hockey Associations on the proper uses and risks of social media and to ensure that all Teams and Local Minor Hockey Association personnel are aware that conduct deemed to be inappropriate may be subject to disciplinary action by the team, the Local Minor Hockey Association and/or the OMHA.

Social Media Guidelines

Anyone who uses social media must be aware that social media users will be held to the same standards as all other forms of media including radio, television and print.

Comments or remarks of an inappropriate nature which are detrimental to a team, the Local Minor Hockey Association, any individual or the public at large will not be tolerated and will be subject to disciplinary action as provided for in the OMHA's Code of Conduct Policy.

It should be recognized that any material posted on social media can be instantly published and available to all members of the public and media.

Everyone, including Local Minor Hockey Association and/or team personnel, players, corporate partners and the media can review social media communications. Everyone should conduct themselves in an appropriate and professional manner at all times.

Language – The OMHA is proud to be an open, inclusive organization. Members of the OMHA shall refrain from comments or behaviours which are disrespectful, offensive, abusive, racist or sexist. In particular, behaviour which constitutes maltreatment, harassment, and/or bullying, will not be tolerated.

Be mindful of privacy/confidentiality – Always lean on the side of caution when sharing the personal information of players, such as full names and contact information. We encourage Member Associations to share photos and videos but be aware of the content being shared.

Respect – Any concerns or disputes involving a member organization and another team, referee, or the OMHA should not be dealt with online. Any references or examples of bullying, threats, drug abuse, exploitation and harassment will not be tolerated. Negative and derogatory comments involving any team, association, league, staff, volunteers, programs, stakeholders, players or any OMHA member are considered violations.

Social media users need to be aware that any retweets/shares could be considered endorsements. As such, when sharing content created by a third party, users must be aware that this can be seen to be endorsing the message retweeted/shared. Be mindful of the source you are sharing content from.

Social Media Violations

The following are examples of conduct through social media that are considered violations of the OMHA Social Media Policy and may be subject to disciplinary action by the team, Local Minor Hockey Association, and/or OMHA.

- Any statement deemed to be publicly critical of Association officials or detrimental to the welfare of a member team, the Association or an individual.
- Negative or derogatory comments about teams, Local Minor Hockey Associations, and/or OMHA programs, stakeholders, players or any member of another team.
- Any form of bullying, harassment, intimidation or threats against players or officials.
- Photographs, videos or comments promoting negative influences or criminal behavior, including but not limited to:
 - Drug use;
 - Alcohol use;
 - Public intoxication;
 - Hazing;
 - Sexual exploitation;
 - Online activity that contradicts the current Policies of the OMHA or any of its Member Associations.
- Inappropriate, derogatory, racist, or sexist comments of any kind, in keeping with the OMHA Code of Conduct.
- Online activity that is meant to alarm other individuals or to misrepresent fact or truth.

Discipline

All violations of this Policy will be addressed through the OMHA Code of Conduct.

Summary

When using social media, each member should assume at all times they are representing the OMHA and/or its member Local Minor Hockey Associations. All members of the OMHA should remember to use the same discretion as they do with other traditional forms of media

