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1.0 INTRODUCTION

1.1 Background of the Association

The Manitoba Fencing Association Inc. (MFA) is a nonprofit corporation formed in 1978 to coordinate the sport of fencing in the Province of Manitoba.

An Executive Committee manages the affairs of the Association with assistance from the Executive Director and Technical Director. The Executive Director and Technical Director, and /or their designates manage the day to day affairs of the Association and work under the direction of the Executive Committee to develop, implement and promote fencing in Manitoba.

This manual is intended to provide operating guidelines for the Manitoba Fencing Association Inc., its Executive, members and affiliate members.

Questions regarding the interpretation of the contents of this Manual should be directed to the Executive Director or Technical Director, and/or designate of the Manitoba Fencing Association Inc.

2.0 DEFINITION OF THE ASSOCIATION

2.1 Name

The name of this organization shall be the Manitoba Fencing Association Inc. and hereinafter referred to as the "Association".

2.2 Definition

The Association shall be the sport governing body for fencing in the Province of Manitoba and associated with the Canadian Fencing Federation as long as it so chooses.

2.3 Organization

The Association shall be composed of members as hereinafter set out and it shall be managed by the Executive Committee (hereinafter referred to as the "Executive") and an Executive Director and Technical Director.

2.4 Head Office

The head office of the Association shall be in the City of Winnipeg, in the Province of Manitoba, or at such place within the, Province as may be designated by resolution of the Executive.

3.0 MISSION STATEMENT

3.1 Mission of the Association

To provide individuals an opportunity to develop through the sport of fencing to the highest potential to which they aspire, by:

- Providing leadership in goal-directed planning of structures and programs,
- Actively recruiting members throughout Manitoba
- Promoting development of athletes, coaches, officials and volunteers,
- Promoting the sport to external agencies and individuals

In accordance with the Province of Manitoba Sport Policy and our members.

4.0 OBJECTIVES OF THE MANITOBA FENCING ASSOCIATION

4.1 MFA Objectives

- To govern the sport of fencing in Manitoba
- To establish, maintain, conduct and promote interest and participation in the sport of fencing
- To foster and encourage participation in physical activity through the sport of fencing
- To assist, organize and supervise competitions of every nature for members of the Association, and others, in connection with the sport of fencing
- To provide for the participation of individual representatives or teams to competitions, camps and other fencing related activities
- To host provincial championships and supervise provincially sanctioned events
- To participate in, affiliate with, maintain relations, and cooperate with our national body and other organizations in Canada, and abroad, for the benefit of the sport of fencing and sport in general
- To solicit financial contributions and other assistance from private and public sources in furtherance of the objectives of the MFA
- To do such other things in the best interest of fencing and the MFA as may, from time to time, be deemed expedient
- To promote and protect the mutual interests of the MFA members

5.0 EXECUTIVE OFFICERS

5.1 General Duties

All Executive Officers are responsible for:

- Regularly attending Executive meetings and reporting on matters within their area of responsibility
- Communicating with the MFA membership as necessary on matters concerning their area of responsibility
- Participating in the preparation of annual reporting and funding documents

In addition, each member has specific responsibilities as outlined below.

5.2 President ***Next AGM take duties out of by-laws so can change them in policies**

DUTIES:

1. Shall act as chair of all General Meetings, and all meetings of the Board.
2. Shall be an ex-officio member of all committees of the Association.
3. Shall be a signatory authority for all correspondence and transactions of the Association including all financial transactions.
4. During meetings of the Board the President will only vote in case of a tie.
5. The President shall represent the Association at the Annual General Meeting of the Canadian Fencing Federation.
6. The President shall be responsible for the employees or contractors of the Association.
7. The President shall not hold office with a fencing club, except that a club officer may be elected as President, but then must resign from the club office not more than thirty days after being elected as President. The President must be a member in good standing of the CFF.

5.3 1st Vice-President

DUTIES:

1. Shall replace the President in case the President is not available to preside due to illness or resignation or absence.
2. The Vice-President shall be a signatory authority for all correspondence and transactions of the Association including all financial transactions.
3. The Vice-President must be a member in good standing of the CFF>
4. In the case the Vice-President replaces the President during the term of office, s/he shall assume the full responsibility of the president, and shall serve for the remainder of the Presidential term. If the Vice-President chooses to not give up their position to fill the remainder of the Presidential term, s/he will assume the Presidential position until a general meeting of the Association is convened, within 60 days to elect a new President or Vice-President.

5.4 Corporate Secretary

DUTIES:

1. Shall record and keep minutes of all Executive, Board and General Meetings.
2. Shall be responsible for counting and recording all votes, and the outcome there from, at all Executive, Board and General meetings.
3. Shall be a signatory authority for financial transactions.
4. Shall be responsible for ensuring a yearly review of the By-Laws.

5. Shall be responsible for ensuring yearly Corporate documents are filed with the Corporations Branch of the Government of Manitoba.

5.5 Treasurer

DUTIES:

1. Shall in conjunction with the Executive Director of the MFA review and consult on all financial transactions of the Association and prepare and submit budgets at Executive, Board and general meetings.
2. Shall ensure that funds of the Association are deposited in the appropriate accounts (Bank or Trust)
3. Has signing authority with the President or other members of the Executive for all financial transactions of the Association.
4. Shall be responsible for taxation matters of the Association.
5. Shall serve as President in succession following the 1st Vice President.

5.6 Vice-President - Technical

DUTIES:

1. Shall establish in conjunction with the provincial coach and distribute an annual competition schedule.
2. Organize competitions and distribute and collect entry forms.
3. Tabulate and keep up to date records of competitive points and provincial rankings.
4. Schedule and organize coaches and officials clinics.
5. Oversee the Provincial Fencing Programs in cooperation with the VP Athlete Development and Technical Director.

5.7 Vice-President - Athlete Development

DUTIES

1. Organization of training camps in conjunction with Vice-President – Technical and Provincial Coach/Technical Director.
2. Organization of provincial programs in conjunction with Vice-President – Technical and Provincial Coach/Technical Director.
3. Organization of provincial outreach programs and school programs in conjunction with Vice-President – Technical and Provincial Coach/Technical Director.

5.8 Board Members-at-Large

Duties will be determined by the MFA Executive.

6.0 EXECUTIVE DIRECTOR

6.1 Duties of the Executive Director

1. Reporting directly to the President, the Executive Director is to act as Chief Administrative Officer of the Association.
2. In cooperation with the Executive, provides leadership to the Association and support to the Executive Committee.
3. Acts as a resource to Executive and volunteers to ensure all programs, projects, activities, policies, goals and objectives established by the Association are implemented.
4. Receives a yearly performance evaluation by the President.
5. Full job description attached as Appendix A.

7.0 PROVINCIAL COACH/TECHNICAL DIRECTOR

7.1 Duties of the Provincial Coach/Technical Director

1. Reporting directly to the President, the Technical Director is a contract position to design and implement the actual fencing programs of the Association.
2. In cooperation with the Executive, provides fencing program leadership to the Association.
3. Acts as a resource to Executive and volunteers to ensure all programs, projects, activities, policies, goals and objectives established by the Association are implemented.
4. Receives yearly performance evaluations from the President.
5. Full job description attached as Appendix B.

8.0 FINANCIAL

8.1 General

1. All matters pertaining to the finances of the Association come under the direct supervision of the Treasurer, who is responsible to report regularly to the President, and Executive.
2. The Association fiscal year shall begin April 1st and end March 31st in the ensuing year.
3. All funds or securities of the Association shall be deposited in such bank, or banks, or other institutions legally carrying on services similar to a bank, as the Executive may from time to time direct.

4. Signing authority for disbursement of funds required to carry on the business of the Association shall reside with any two of the following individuals: the Treasurer, the President, 1st Vice-President or Corporate Secretary
5. In the event that the Treasurer is unavailable, the President shall assume the chief signatory role.
6. Contractees of the Association shall not assume signatory responsibilities
7. The Treasurer is authorized to make all deposits on behalf of, and in the name of, the Association, and to take receipt of bank statements and paid vouchers.

8.2 Budget Process

The Association operates on an annual budget approved by the Executive and ratified by the membership at the Annual General Meeting. Since the Association is a nonprofit corporation it is not desirable to budget for a profit, however, neither is it acceptable to budget for a loss. The budget is, therefore, intended to adequately fund the Association and provincial programs so they can function on an ongoing basis, in both the short and long term, within the realities of projected revenues.

8.3 Contingency Reserve

The Fencing Association will develop a contingency reserve to pay any unexpected liabilities that may be incurred in the future. This contingency reserve will be equal to three months of administration operating expenses of the Association. For purposes of initially generating this reserve, a period of five years would be considered appropriate.

8.4 Financial Controls

1. Each year the President, Treasurer, 1st VicePresident and Corporate Secretary will have the authority to sign cheques and other banking documents pertinent to the Association. The ' signatures of two (2) officers are required on every document. The treasurer shall be the chief signatory; in the event the treasurer is unavailable the President shall assume this authority.
2. The treasurer shall keep records of all budgets and expenditures.
3. The treasurer shall notify the individual(s) responsible for a budget area that the budget allocation is nearing depletion, and the person responsible should submit further financial needs and/or justification to the Executive for consideration and approval.
4. Approval for an unbudgeted expenditure in excess of \$50 must be received in advance from the treasurer. If the expenditure is in excess of \$200 it must be approved by a majority of the Executive, either at a regular meeting or in case of an emergency, by email or fax.
5. The treasurer may suspend any or all program activity pending a meeting of the Executive if anticipated revenues are not forthcoming and cannot be guaranteed in advance of project implementation.
6. No advance payment for budgeted items may be made without the approval of the Executive. Any advances must be requested in writing.

7. Cheques should originate from the treasurer, who shall keep a record of all budgets and expenditures. No expenditure (s) shall be made which have not been approved.
8. An audit of the financial statement of the Association shall be carried out yearly and the resulting statement presented to Sport Manitoba, and the Manitoba Fencing Association Executive.

8.5 Expenses and Expense Reporting

1. Under normal circumstances no expenses shall be paid for by the Association without original receipts, except for per diems and mileage allowances. Under unusual and/or mitigating circumstances the treasurer may waive this requirement. Mileage will be paid out based on Manitoba Provincial Government rates.
2. All legitimate expenses and receipts shall be submitted in writing, to the treasurer, within fifteen (15) days of the completion of the event/project/activity. Failure to abide by the timelines may jeopardize the financial process, so that the individual's expenses may be withheld.
3. The Vice President responsible for the program under which expenses are submitted shall sign off on the expense claim.
4. Airline tickets for Association travel are to be arranged through the provincial office. The traveler must choose and book flights in order to take advantage of group fares and discounts. Under certain circumstance the treasurer may waive this requirement. The original ticket (traveler's portion) is to be returned to the provincial office with other expense claims, on an Association Travel Claim Form. See Appendix C.
5. Advances for expenses may be made, but only on approval of the Executive. Requests for advances are to be submitted in writing to the treasurer.
6. Expenses reimbursement will be limited by the rates allowed, unless approval for additional funds is given by the Executive. Expense rates will be adjusted, as deemed advisable by the Executive, as required.
7. The treasurer may reduce, or delete amounts claimed if felt to be excessive or unwarranted. Such reduction or deletion to be approved by the Executive.

9.0 CODE OF BUSINESS CONDUCT

9.1 General

1. Members of the Executive and other persons in position of responsibility are expected to arrange their personal and private affairs in a manner that will prevent conflicts of interest arising, or appearing to arise. They should not place themselves in a position where they are under obligation to any person or organization that might benefit from special consideration or favour on their part or seek in any way to gain special treatment from them.

2. Material and proceedings of the Executive are considered to be in the public domain unless specifically declared otherwise. Material received by the Executive which has been declared to be confidential shall be kept strictly confidential unless permission to distribute more widely has been obtained from the person(s) involved. When confidential items are discussed at Executive meetings such discussion will not be reported in the minutes; outcomes or action items only will be reported.

9.2 Potential in Conflict of Interest

It is impossible to list all possible circumstances that have the potential to be considered conflict of interest. Without being restrictive to the general guidelines as above, the following are areas to be avoided by persons in positions of responsibility within the Association.

1. Investments in a supplier or a partnership, corporation or entity that has a significant present, or prospective, business arrangement with the Association. Indirect interests are considered to be of the same significance as direct ownership.
2. Contracts or agreements with subsidiary or associated companies that have significant present, or prospective, arrangements with the Association.
3. Seeking or accepting from the previously mentioned, services, payments, commissions, excessive entertainment, gifts of more than a nominal value, and monies of any amount.
4. Serving as a director, officer, contractee, or consultant of the previously mentioned, where such services could place demands on individuals inconsistent with their usual duties, raise questions on their ability to remain objective, or be so time consuming as to prevent proper performance of duties.
5. Using or appearing to use or reveal, without proper authorization, to persons outside the Association, for personal gain any information which is not generally available to the public.
6. Using or permitting others to use, the Association property equipment, services or materials for personal gain.
7. According preferential treatment, beyond using accepted business courtesies, to organizations in which the individual, or relatives or friends, have an interest.
8. Using the Association's name, logo or position to lend weight or prestige to sponsorship of a political party, or endorsement of a product or service, without proper authorization of the Association.

9.3 Recommended Actions for Conflict Situations

1. Divestment of interest.
2. Verbal or written disclosure.
3. Avoidance of involvement in particular items of business.
4. Request for resignation.

It is understood that item (4) will only be taken in the most severe cases, and then only as a last resort.

10.0 MEETINGS

10.1 Board/Executive Meetings

1. The Board/Executive meetings will be held on a regularly scheduled basis, at least six times in the period from September to May inclusive.
2. Notice of Board/Executive meetings stating place, date, time and business to be transacted shall be forwarded, by the Executive Director, to the Board/Executive members at least five (5) days prior to the date of such meeting.
3. Each Board/Executive member is entitled to vote in accordance with the Association By-Laws.
4. The Board/Executive may invite individuals to attend Board/Executive meetings to provide information and expertise as needed.
5. Notice of motion must be submitted in writing not less than eight (8) days prior to the next Board/Executive meeting, otherwise a notice of motion must be brought in order at an Board/Executive meeting by an Board/Executive member.
6. A quorum to conduct business at Board/Executive meetings of the Association shall be at least three eligible voting members of the Board/Executive.
7. Minutes of Board/Executive meetings are held in the Association office and are available for scrutiny by all members of the Association, the CFF, or Sport Manitoba, and any other agency that provides funding to the Association. In addition, following acceptance at the next regular Board/Executive meeting, minutes will be distributed to the Presidents of all member fencing clubs.
8. Regular monthly meetings of the Board should be considered as Executive meetings.

10.2 Annual General Meeting

See the Constitution and ByLaws of The Manitoba Fencing Association

10.3 Special General Meetings

See the Constitution and ByLaws of The Manitoba Fencing Association

10.4 Voting

1. All voting shall be done by a showing of hands, unless one member requests a secret ballot. Votes shall be counted by the President and verified by the Corporate Secretary.
2. All voting shall be by simple majority unless otherwise provided for by the Constitution, ByLaws or Association policy.
3. Proxy voting is allowable only at the Annual General Meeting or a duly called Special General Meeting.

4. The President shall not normally be entitled to vote, except in the event of a tie when the President shall cast the deciding vote in which case the President will vote in favour of the opposing side based on Robert's Rules of Order.
5. An amendment to the Policy and Procedure Manual shall be passed when three, quarters (3/4) of the present quorum votes in favour of it, unless the amendment was not circulated fifteen (15) days prior to the meeting, in which case one hundred (100) percent approval is required.

10.5 Rules of Order

Roberts Rules of Order shall be the official rules of order for all meetings of the Association.

10.6 Elections of Officers

1. Election of Executive members shall take place at the Annual General Meeting.
2. Both existing and incoming Executive members may vote for Executive positions.
3. Executive members may vote for themselves.
4. In an event of a candidate not receiving a clear majority on the first ballot, a second vote shall be taken with the less successful candidate being eliminated from the ballot. This process shall continue until one candidate has a clear majority.
5. The change of Executive members shall take place as the last item of business at the Annual General Meeting.
6. To be elected/appointed to any position on the Manitoba Fencing Association Executive an individual must be a member in good standing of the Association, or the parent of a member in good standing.
7. Where the Executive member is a parent rather than a member, they shall receive free Associate membership in the Association for the duration of their term on the Executive.
8. Officers are elected for a twoyear term

11.0 COMMUNICATIONS

The goal of Association communications activities is to publicize the programs and activities of the Association to the general public and fencing community through all available mediums.

11.1 Communication with Other Bodies

It is important that in its relationship with external organizations that the Association speak as a unified body with one voice. Therefore, the following guidelines should be adhered to.

1. All contacts with internal provincial, other provincial or national organizations/bodies are to be made by the Association through the President or Executive Director, unless otherwise agreed to by the Executive. No other officer, director or individual should communicate without the knowledge and approval of the duly authorized representative of the Executive. Written or e-mailed communication must be copied to the office for the pertinent files.
2. Routine communication may be handled by the Executive Director. Non routine and policy matter will be handled by the Executive Director only upon authorization and approval of the President or Executive. The Executive may wish to appoint other persons to deal at the ministerial level for particular reasons or

projects. In such a case the Executive Director will be apprised of the situation.

3. All contact with the Sport Manitoba should be handled by the Executive Director or President. The Executive Director will be responsible for insuring that the Association takes full advantage of the subsidized services of Sport Manitoba where beneficial to the Association.
4. All contact with corporate sponsors, on behalf of the Association will be handled by the Executive Director or appropriate committee members as requested by the Executive.
5. Official contacts with other provincial sport governing bodies and umbrella groups will be made by the President, Executive, except when delegated to the Executive Director.

11.2 Newsletter

The Manitoba Fencing Association Newsletter, Communique', shall be the official publication of the Association. The newsletter will be distributed to individual members of the association and member clubs will receive a bulk supply for distribution. In addition, a limited number of individuals from other provincial and national fencing associations will be on the mailing list as well as all sponsors and advertisers. As a cost restraint measure only one newsletter will be sent per household unless otherwise requested.

12.0 INJURIES/LIABILITIES

12.1 Injuries

Neither the Association, its Officers, Directors, Representatives, Committee chairpeople, or members shall be held responsible for injuries sustained by any person/player at any Association Event.

The Association will include a waiver form on all program activity applications, and no person shall participate in any Association sponsored event without signing, and dating the official release, or in the case of junior participants, the parents signing and dating the official release. See Appendices F and J.

The Association will endeavor to assure that all safety precautions are followed at the Fencing Manitoba events/activities. The Association will support the use of safety equipment but will adhere to the rules and regulations as set out by the National Sport Governing Body.

12.2 Liabilities

In the area of liability the Association Executive is governed by the provisions of the Corporations Act of Manitoba, specifically sections 117, 118 and 119.

13.0 RELATIONSHIP WITH THE CANADIAN FENCING FEDERATION

13.1 Affiliation Statement

The general purpose of the affiliation with our national body The Canadian Fencing Federation is to provide for development accessibility and coordination of standardized fencing programs and services that are consistent with the rest of Canada. It also provides the opportunity for our "elite" athletes to compete and

train at a higher level than is available at a provincial level. It is our intention to encourage Manitoba representation on national committees.

13.2 The Canadian Fencing Federation Provincial Association Membership Program

Provincial membership fee with the Canadian Fencing Federation (CFF) is based on the estimated number of competitive Fencers in the province.

1. As a provincial member of the CFF, a provincial association is entitled to:
 - a. Name a voting representative to the CFF Board of Directors.
 - b. Sanction tournaments, the results of which are eligible for entry into the Canadian Fencing Federation ranking system.
2. As a provincial member, the provincial fencing Association is expected to:
 - a. Abide by the CFF “Policy and Procedures Manual” as developed by its members.
 - b. Promote the CFF’s national programs.
 - c. Submit reports to the Executive Committee annually on the status and activities of the provincial Association.
 - d. Provide to the national office up-to-date lists of the names and addresses of the provincial Executive Committee and committee chairpersons.
 - e. Submit the full results of sanctioned events and pay a ranking fee for each player in a sanctioned tournament.
 - f. Bid to host regional or national tournaments.
 - g. Develop a provincial membership program which best suits the needs of the province and to set and collect membership fees for provincial members.
 - h. Use CFF programs, such as the technical coaching certification courses, rules and official clinics.

14.0 AMENDMENTS

14.1 Constitution and ByLaws

See the Constitution and ByLaws of The Manitoba Fencing Association

14.2 Policy and Procedure Manual

The Policy and Procedure Manual may only be amended by the Executive of the Association at regular meetings of that body. A copy of proposed amendments must be circulated fifteen (15) days in advance of the meeting where they will be considered, with the notice of agenda for said meeting. An amendment to the Policy and Procedure Manual will not be valid unless approved by seventyfive (75) percent of the members present at such meeting. Amendments may be proposed at a meeting without advance notice, but need one hundred (100) percent approval by the members present, to become effective. Amendments take effect immediately, unless otherwise stated in the resolution/motion.

When the Executive deems it to be in the best interest of The Association, exceptions may be made to the Policy and Procedures herein for specified time periods. A majority of **sixtysix percent (66%)** of Directors present must be in favour of the exception in order for it to be effected, assuming the time frames for notice of meetings are adhered to. One hundred percent (100%) approval of the exceptions required if the Executive Committee receives no prior written notice.

15.0 PROGRAMS

15.1 Coaching Certification Program

Designed to develop certified coaches in conjunction with Sport Manitoba (SM), Coaches Association of Manitoba (CAM), and the Canadian Fencing Federation (CFF).

There are five levels of certification.

Level 1:

Theory Sport generic training.

Course is administered by CAM.

Technical Sport specific training.

Course administered by MFA, using CFF designed course material.

Practical Sport specific followup.

Mentored hours and competencies, as assigned by the CFF.

The above order must be respected.

Participants must be members of the MFA.

Participants must be at least 16 yr. old.

Participants must have at least six months of fencing experience.

Level II:

Same components as Level I.

Level III:

Same components as Levels I & II. Technical and Practical components offered and administered through the CFF.

Level IV & V

This program is administered through the CFF, and can be tailored to meet individual needs. The courses are offered through a number of agencies (CFF, NCI, CAC, etc.)

Levels I & II will be offered on an ongoing, as need, basis by the MFA.

This Program is overseen by the Vice President Technical, and administered by the Provincial National Coaching Certification Program (NCCP) Coordinator.

16.0 CLINICS

16.1 Referees Certification Clinics

Designed to develop and improve the level of refereeing in Manitoba.

Certification includes written exam (rules) and practical exam (refereeing). All refereeing certification is weapon specific.

1. 2 provincial levels offered and administered through the MFA
 - a. "M" level
 - b. "P" level
2. 1 National level "N" level offered and administered through the CFF
3. 3 International levels offered and administered through the FIE
 - a. "C"
 - b. "B"
 - c. "A"

1. Provincial Levels

- a. "M" level: this level is given to experienced fencers who have demonstrated a strong ability to effect the practical component of refereeing, but have, as of yet, not attempted the written exam.
 - b. "P" level: to attain this level the referee must pass the written exam with 75% and the practical exam with 75%. This level allows referees to work at all CFF sanctioned events. An "N" level official must administer the exam. The responsibility of the course work and the exam falls under the jurisdiction of the MFA.
2. "N" level: this level is a nationally recognized and approved level of refereeing. To attain this level the referee must pass both the written and practical components of the course as offered by the CFF through the auspices of the National Referee's Committee. An "A", "B", or "C" level official must administer the exams. This level allows referees to work up to the finals of all CFF sanctioned events, and is the minimum level needed to challenge the international exams.
 3. All three international levels of refereeing fall outside the bounds of a provincial policy and are managed by the FIE.

The CFF is notified of all "P" level referees and is responsible for maintaining a National list of certified referees.

The Vice President Technical is responsible to oversee the program.

17.0 HIGH PERFORMANCE PROGRAMS

17.1 General

The High Performance Program is divided into three categories:

1. Provincial High Performance Team
2. Provincial High Performance Development
3. Special Programs (i.e. Canada Winter Games)

N.B. Final approval regarding the selection and categorization of athletes into MFA High Performance Programs will rest with the Executive Committee of the MFA.

17.2 Provincial High Performance Team

The Provincial High Performance Team Program is designed for those fencers already achieving results at the national and/or international level and are attempting to qualify for national teams (i.e. Olympic Games, PanAm Games, World Championships, World University Games, etc.).

17.2.1 Training Requirements

In addition to training at their individual clubs, athletes participating in this program are required to attend weekly High Performance training sessions and training camps at the Manitoba Fencing Centre (or other location as determined by the Provincial Coach/Technical Director), as scheduled by the Provincial Coach/Technical Director. These training sessions may include physical conditioning, sport psychology, nutrition, and other sessions as determined by the Provincial Coach/Technical Director. Athletes will also be required to receive individual lessons from the Provincial Coach or other coaches as designated by the Provincial Coach. Specific details of the program including the schedule for High Performance training will be established at the beginning of each fencing season and outlined in the MFA High Performance Program Handbook, but may be modified throughout the season by the Provincial Coach/Technical Director and the VP Athlete Programs, as required to meet specific program and/or athlete goals.

17.2.2 Competition Requirements

Athletes participating in this program are required to attend all local competitions and designated outofprovince competitions as selected by the Provincial Coach/Technical Director and VP Athlete Programs, in consultation with the athlete's personal coach and parents (if applicable). The focus for competitions at this level will be on those events designated as requirements for qualification to National Team Programs as identified in the CFF Cadet/Junior and/or Senior National Team Handbooks. (i.e. Canadian Cadet/Junior and/or Senior Elite events, North American Circuit (NAC) events, Junior and/or Senior World Cups, and other designated international competitions).

17.2.3 Application

All athletes participating in this program will be required to complete the MFA Athlete Agreement as well as the CFF High Performance Program Application. Deadlines for completion of these documents will be specified annually in the MFA High Performance

Handbook and CFF National Team Handbooks respectively, but should normally occur no later than October 1st.

17.2.4 Selection

The selection of athletes into this program will be based on results attained at the national level and the recommendation of the Provincial Coach/Technical Director and Program Coaches. The selection criteria for each weapon and age category is based upon the relative strength of that weapon at the national level, and is outlined below:

Sabre

Cadet (Men and Women):	Top 8 National Ranking or Top 8 at Nationals
Junior Men:	Top 16 National Ranking or Top 16 at Nationals
Junior Women:	Top 8 National Ranking or Top 8 at Nationals
Senior Sabre:	Top 16 National Ranking or Top 16 at Nationals

Foil and Epee

Cadet (Men and Women):	Top 16 National Ranking or Top 16 at Nationals
Junior (Men and Women):	Top 16 National Ranking or Top 16 at Nationals
Senior (Men and Women):	Top 24 National Ranking or Top 24 at Nationals

17.3 Provincial High Performance Development

The Provincial High Performance Development Program is designed to serve as a bridge between the club programs and the Provincial High Performance Team Program.

17.3.1 Training Requirements

See Paragraph 17.2.1

17.3.2 Competition Requirements

Athletes participating in this program are required to attend all local competitions and designated out of province competitions as selected by the Provincial Coach/Technical Director and VP Athlete Programs, in consultation with the athlete's personal coach and parents (if applicable). The focus for competitions at this level will be on those events designed to give the athlete exposure to higher level competition. These may include events in Saskatchewan, Western Canadian Championships, Quebec Circuit events, Cadet Elite events, Under 15 National Championships, etc.

17.3.3 Application

All athletes participating in this program will be required to complete the MFA Athlete Agreement. Deadline for completion of this document will be specified annually in the MFA High Performance Handbook, but should normally be no later than October 1.

17.3.4 Selection

The selection of athletes into this program will be based on results attained at provincial level competitions, as indicated by the Provincial Rankings for each weapon at the end of the previous season, and the recommendation of the Provincial Coach/Technical Director and Program Coaches. The number of athletes accepted into this program will be decided by the Provincial Coach/Technical Director and VP Athlete Programs on an annual basis, and may be limited depending on the number of athletes in that particular weapon already accepted into other MFA High Performance Programs.

17. 4 Special Programs

Special Programs are designed as required to enable Manitoba to field competitive teams for specific special events such as the Canada Winter Games, Western Canada Summer Games, etc. This program will also serve as a feeder program for the Provincial High Performance Development Program.

17.4.1 Training Requirements

See paragraph 17.2.1

17.4.2 Competition Requirements

Athletes participating in special programs are required to attend all local competitions and designated out of province competitions as selected by the Provincial Coach/Technical Director and VP Athlete Programs. The focus for competitions at this level will be on those events designed to give the athlete exposure to higher level competition and to prepare him/her for the level of competition expected at the special event for which the program is designed (ex. Canada Winter Games). These may include events in Saskatchewan, Quebec Circuit events, Cadet Elite events, Under 15 National Championships, etc.

17.4.3 Application

All athletes participating in this program will be required to complete a Program Application and the MFA Athlete Agreement. Deadline for completion of these documents will be specified in the applicable MFA Handbook (ex. 2003 CWG Handbook)

17.4.4 Selection

The selection of athletes (and alternates if applicable) to teams for designated special events such as the Canada Winter Games will be based on results attained at designated competitions, which will be outlined in the respective MFA Handbook.

17.5 Suspension from MFA Programs

An athlete may be temporarily suspended for a maximum of one month from any MFA program after a majority decision by a Disciplinary Committee, which shall be comprised of the following members:

- Provincial Coach/Technical Director
- Program Coaches as designated by the Provincial Coach/Technical Director (if applicable)
- VP Athlete Programs
- Athlete Representative

Reasons for suspension from MFA programs are outlined in paragraph 17.7

17.6 Removal from MFA Programs

A recommendation to remove an athlete from any MFA program will be made to the MFA Executive Committee after a majority decision by a Committee (as identified in paragraph 17.5). The MFA Executive Committee will review and either approve or deny the recommendation at its next regularly scheduled

meeting. A decision to remove an athlete from any MFA Program must be explained in writing to that athlete by the President. An athlete who has been recommended for removal from a program may be temporarily suspended from that program until such time as the Executive Committee has reviewed and approved or denied the recommendation.

17.7 Reasons for Suspension/Removal from MFA Programs

Athletes may be suspended and/or removed from MFA programs for any of the following reasons:

- Infractions of the MFA or CFF Codes of Conduct
- Consistently poor attendance at designated training sessions
- Failure to attend designated competitions
- Consistently poor work ethic at designated training sessions as *assessed by the Provincial Coach*
- Consistent failure to attain the required results to maintain status in the program (i.e. applicable national ranking for Provincial High Performance Team)

The MFA has a **zero-tolerance** policy with respect to the use of illegal or performance-enhancing drugs by its members, volunteers and staff. Any athlete, coach, volunteer or staff member participating in any MFA High Performance Program may be immediately suspended from that program by the Disciplinary Committee described in paragraph 17.5, upon suspicion of use of illegal or performance-enhancing drugs.

N.B.

Athletes in all MFA High Performance Programs will be required to submit completed Medical Declaration Forms from the *Canadian Centre for Ethics and Sport* annually as part of the application process.

17.8 Appeals

Athletes may appeal decisions to remove them from MFA Programs. Procedures for appeals are outlined in Section 27 of this document.

17.9 Program Costs

The cost of participation in any MFA High Performance Program will be determined on an annual basis. Services for which fees may be charged to athletes may include, but shall not be limited to the following:

- Travel to competitions (includes travel costs, accommodations, meals, etc.)
- Individual lessons
- Training camps
- Competition registration
- Additional resource personnel (i.e. sport psychologists, strength and conditioning coaches, etc.)

17.10 Athlete Funding

Athletes may be eligible for financial support from the MFA to assist in offsetting the cost of travel. The amount of funding available to athletes will vary from year to year depending on a number of factors such as:

- Provision of Sport Manitoba funding for specific programs

- The number of athletes in the various MFA programs
- The amount of travel required by coaches in support of MFA programs

17.10.1 Athlete Funding Committee

Recommendations to the MFA Executive Committee for allocation of MFA travel funding to athletes, will be made by an Athlete Funding Committee comprised of the following members:

- VP Athlete Programs
- Provincial Coach/Technical Director
- Program Coaches (if applicable)
- Athlete Representative

The Athlete Funding Committee will meet twice annually to recommend allocation of travel funds as follows:

- In October or November to discuss allocation of the remainder of the current fiscal year's travel budget (after coach travel for the remainder of the fiscal year has been accounted for).
- In April to discuss allocation of no more than 50% of the new fiscal year's travel budget (after coach travel for the remainder of the fencing season has been accounted for)

N.B.

The allocation of specific Sport Manitoba funding for Special Programs such as Canada Winter Games and Western Canada Summer Games will be discussed in paragraph 17.11.

17.10.2 Priorities for Athlete Funding

The Athlete Funding Committee will make recommendations regarding the allocation of travel funds in accordance with the following priorities:

Priority One – Athletes selected to a National Team (i.e. International Games or Cadet/Junior or Senior World Championships), or ranked in the Top 8 of the National Rankings (Cadet, Junior or Senior), after the previous season's National Championships.

Priority Two – Athletes ranked from 9th – 16th the National Rankings (Cadet, Junior, or Senior), after the previous season's National Championships.

Priority Three – All remaining athletes in MFA High Performance Programs

N.B.

The Athlete Funding Committee is not obligated to recommend the allocation of funds to Priority Two and Three athletes.

17.10.3 Appeal

Athletes in MFA programs may appeal decisions regarding the allocation of athlete travel funding. Procedures for appeals are outlined in Section 27 of this document.

17.11 Selection of the Athlete Representative

In order to ensure that the association's athletes are well represented on committees whose recommendations directly affect them, the High Performance athletes on an annual basis will select an Athlete Representative. This representative will be chosen by a vote of all High Performance athletes after the selection of athletes into MFA High Performance Programs has been completed.

17.12 Additional Program Coaches and Resource Personnel

The Provincial Coach/Technical Director may from time to time identify a requirement for the assistance of additional coaches and resource personnel to support MFA High Performance Programs. Recommendations regarding the assignment of additional coaches and resource personnel will be made to the Executive Committee by the Provincial Coach/Technical Director. In the case of Sport Manitoba funded Special Programs such as Canada Winter Games and Western Canada Summer Games, specific criteria regarding the number/gender of Team Staff and their required qualifications will be mandated by external agencies such as Sport Manitoba and/or Sport Canada. Sample staff selection criteria and job descriptions can be found in Annex E. Staff members for Special Programs such as Canada Winter Games and Western Canada Summer Games will normally be selected no later than two years prior to the event to allow them to fully participate in the development and implementation of these programs.

18.0 SELECTION PROCESSES

18.1 Process

The following general procedures shall apply for selections to MFA teams or coaching positions:

1. A selection committee shall be formed consisting of the President, Executive Director (nonvoting), appropriate VicePresident (s), and other experts as needed (e.g. Technical Director or other coaches). The intent in forming the committee shall be to minimize conflict of interest situations as much as possible.
2. The Selection Committees terms of reference from the Executive shall include a written process to be followed, including the objectives or purpose of the committee.
3. Either the Executive or, if they so choose, the Selection Committee shall establish predetermined selection criteria that are measurable.
4. The process to be used and selection criteria will be publicized to the members and potential candidates at least two weeks before the application deadline.
5. Candidates will be evaluated according to the published criteria and only those criteria.
6. Written records of selection committee meetings will be kept at the MFA offices.
7. Selections will be made by consensus among committee members; if no consensus can be reached a majority vote of the entire committee shall be used. In case of a tie the Chairperson shall decide.

8. If the committee is hiring a contract staff person, the committee makes its recommendation to the Executive. Upon ratification of the recommendation, the President shall notify the candidates in a timely manner.
9. For athlete/team selection committees, the committee makes the selection; the VP for the appropriate area notifies the candidates in a timely manner, and also conveys the results of the selection process to the Executive for information.
10. Decisions of the committee may only be appealed if a legitimate ground for appeal exists according to the MFA Appeals Policy.

18.2 Criteria

If a position requires a certain qualification, the candidate must possess that qualification at the time of application, with two exceptions:

1. The posting makes clear that the criteria may be met within a specific time frame – for example, an athlete must complete their Orange Armband no later than June 30 of the year preceding the Games. Failure to meet said qualification within the prescribed timeframe will result in the individual being disqualified from the position.
2. An exception may be made if the candidate can provide written evidence from a course conductor or other relevant expert that the required qualification will be obtained within a reasonable length of time, i.e. within two weeks of the deadline for applications.

18.3 Conditional Acceptance

From the team perspective, if an athlete is accepted conditionally onto a team, the conditions must be:

1. Made clearly in writing to the athlete, and to the parent or guardian if the athlete is under age 18;
2. Explained verbally to the athlete, and to the parent or guardian if the athlete is under age 18;
3. Measurable;
4. Have a deadline date by which they must be met;
5. Removed verbally and in writing by those that imposed the condition(s) if they have been met by the agreed time to the satisfaction and with the agreement of the committee.

19.0 FINANCIAL ASSISTANCE FOR ATHLETES/COACHES

19.1 Athlete Assistance Grants

Athlete Assistance grants are funded annually by Sport Manitoba and are administered and monitored by the Association. Financial assistance is given to elite athletes who have performed well at National Championships or International Competitions. . The qualifying criteria are set by Sport Manitoba and may change from year to year. In general, the top 3 finishers in the top divisions (Open at Senior National, 18 and

under and Junior Nationals) would qualify. Applications must be endorsed by the Association. The Sport Directorate gives the funds to the Association in the fall of each year to be distributed to the qualifying athletes. Athletes sign a document agreeing to the following conditions before receiving their grant:

- To use funds received through the Athlete Assistance Program to defray direct training cost. The athlete must incur expenses in an amount greater than the total grant the athlete is eligible for. Eligible training costs include tournament entry fees, travel, accommodation and meal for out of town tournaments, equipment, clothing, club memberships and coaching fees.
- To continue a year-round training program.
- To compete in major events of the season, such as the National Junior Championships and/or the National Senior Championships, plus other major provincial tournaments. The athlete is to provide to the Association a schedule of the events he/she plans to attend in the coming year.
- To abide by all rules and regulations of the MFA and the CFF

19.2 Coaching Development Assistance

Sport Manitoba makes available each year a number of Travel Assistance Fund (TAF) grants to assist coaches in travel to upgrade their coaching credentials. The MFA will award these grants to coaches who apply on a first come, first served basis.

19.3 MFA Funding

The MFA may offer specific program assistance funding from time to time at its discretion.

20.0 MARKETING & FUNDRAISING

20.1 Marketing Goals

1. To increase the visibility of the Association in the community and sports facilities (e.g.: media exposure, professional logo, posters etc.)
2. To develop corporate sponsorship packages for all programs for which sponsorship will be appropriate.

20.2 Independent Fundraising Projects

One of the goals of the Association is to raise, independent of Sport Manitoba, discretionary revenue to assist in the general operation of the association (e.g.: sales of coupon books, raffle tickets). Individual committees (e.g.: CWG Development) are encouraged, with the Association approval, to undertake fundraising projects. For such projects, the following procedures shall be in effect:

- a) The interested parties shall form a steering group for the project. This may be composed of any combination of athletes, parent, coaches or other interested parties. At least 60% of the committee shall be members of the MFA.
- b) The committee shall prepare and present to the MFA executive a proposal outlining:
 - i) The specific purpose for which funds are being raised (e.g. defray athlete expenses for __; fund coaching workshop about __; purchase equipment for __)

- ii) The specific activities to be undertaken, with details or at least estimates of dates, times and places
 - iii) A budget showing the fundraising goal, estimated expenses and prices to be charged if applicable
 - iv) An outline of support required from the MFA
- c) Once the Executive has received this proposal they shall, at the next regular meeting of the Executive, do one of the following:
- i) Approve the proposal
 - ii) Refuse approval giving reasons
 - iii) Request further clarification
- d) No fundraising using the MFA name shall take place until and unless approval has been received. If approved, MFA support may include but is not limited to:
- i) May advance expense money for the project (to be reimbursed upon completion)
 - ii) May deposit receipts in the MFA bank account, pay bills and issue the proceeds to the designated recipients specified in the proposal
 - iii) May provide publicity through Communique *****
 - iv) Other support as requested and deemed appropriate by the Executive

20.3 MFA Bingo Policy, Revised April 18, 2011

Policy Statement

The Manitoba Fencing Association receives support through a funding agreement between the Provincial Government and the Manitoba Lotteries Corporation. This support requires the MFA to provide volunteers to work at bingos held at Club Regent Casino and McPhillip Street Station Casino. This policy outlines the process used to designate volunteers and distribution of the funding received.

Scope

This policy applies to MFA members including, but not limited to the MFA member clubs, athletes, parents or guardians, coaches, officials and all other volunteers and staff of the MFA.

Allocation Process

1. For each bingo date MFA is awarded, the MLC requires that the MFA provides seven volunteers (over the age of 18) to work under the direction of the casino staff.
2. For each bingo date, the MFA distributes 7 bingo spots and 2 extra volunteer opportunities in a fair and equitable manner to the following eligible groups:
 - i. One bingo spot to each MFA member club choosing to participate and meeting the Club criteria (which must consist of a minimum of 10 members), and has a designated Bingo Coordinator contact.
 - ii. Two bingo spots are offered to the MFA Athlete Programs - HPP and Intermediate. Should no athlete claim these spots more than 3 days before the bingo date, the spots will go to the first club to respond with a volunteer.
3. The extra volunteer opportunities are alternate positions created by the MFA to ensure that an adequate number of volunteers are in attendance at each bingo. These spots are awarded to the eligible clubs through a rotation format. The alternate volunteers are required to arrive prior to the bingo and remain until all the required 7 volunteers arrive, at which time the alternate(s) are free to leave. In the event that less than the 7 volunteers arrive, the alternate(s) are required to work the bingo.
4. The MFA member clubs' designated Bingo Coordinators are responsible for finding volunteers to fill their allocated spots.
5. The Corporate Secretary is responsible for finding athletes to fill the MFA Athlete Program spots.
6. Please refer to the financial section listed next in this policy for further details.
7. All bingo volunteers must represent a club or member of the MFA.

Distribution of Bingo Funding

1. The MFA receives the money earned from the volunteer bingo spots and distributes the funds in the following manner:

- i. The MFA awards each member club or program athlete \$75 for each bingo spot that was awarded to them, provided that they worked the designated bingo session.
 - The Athlete Program spots will be directed as an internal credit with the MFA to the athletes to help support them in their High Performance Program requirements or their Provincial Team requirements. As long as the individual is a registered member with the MFA, their account can remain active. Once they are no longer a member of the MFA the funds will be carried forward till the next membership year in case the athlete rejoins the MFA. If the next membership year expires and the athlete has still not re-joined the MFA then their funds will be rolled over into MFA general accounts. These individuals have to travel extensively to compete, and are directed on how many competitions they must travel to by their signed contract submitted to the MFA at the beginning of the program year.
 - The funds for the club spots will be paid out to the club and **not** to the volunteer that worked the bingo. Each club is responsible for determining the use and the distribution of its bingo funding. MFA member clubs are expected to keep receipts documenting where the bingo funding was spent for auditing purposes, should the need arise.
2. The alternate bingo volunteer will receive a \$25 honorarium for reporting to that bingo. If the alternate is required to work the bingo, they will receive payment of \$75 for a bingo spot that was not filled by a club or athlete program, in addition to the honorarium.
3. The alternate honorarium amount will be determined by the MFA Executive Board before the start of each fiscal year (April 1st).

Timing

1. The MFA office receives notice from Sport Manitoba of the number of bingo spots awarded to the MFA for each fiscal year (April 1st to March 31st).
2. Prior to the start of each fiscal quarter, the Manitoba Lotteries Corporation (MLC) mails notice of the dates of the bingo spots for that quarter to the MFA office.
3. The Executive Director then sends confirmation for that quarter to the MLC and forwards these dates to the Corporate Secretary.

4. The Corporate Secretary forwards the dates for that quarter to each club's designated Bingo Coordinator.
5. The designated clubs' Bingo Coordinators are then responsible to recruit volunteers to fill their allocated spots and report back to the Corporate Secretary as required.
6. At each bingo, a chairperson is designated from the volunteer group. The chairperson is responsible for ensuring that all volunteers sign on the sheet provided by the Casino and then forwarding the completed sheet to the MFA office following every bingo. If the sheet is not submitted to the MFA office, no one gets paid.
7. The MFA is responsible for distributing the bingo funds earned by each of the volunteer spots at the end of each fiscal quarter.
8. The Corporate Secretary may call an audit of any MFA member club's bingo revenue expenditure receipts at any time, to confirm the proper disposition of those funds for reporting purposes to either Sport Manitoba or the Manitoba Lotteries Commission.

Non-attendance by member clubs or HPP athletes

1. Any qualifying MFA member club or HPP athlete missing two Bingo allocations in a quarter, without reasonable notice or reason, will be barred from participating in the next three consecutive quarters. The allocation will be provided to the other clubs/athletes in rotation.

20.4 Sponsorship

All funding received through sponsorship shall be administered by the Association. The Association shall ensure that such funds are spent in the manner that reflects the sponsor's intent. All such funds shall be processed via the CFF National Office, who shall retain 10%, at which point a CFF receipt shall be issued. In administering such funds, the Association shall retain a fee amounting to 5% of the Gross donation. The Association shall retain control of the funds and make advances to the recipient upon presentation of the correct receipts to the Association.

21.0 RECOGNITION

It is the policy of the Association to recognize and acknowledge outstanding achievement for both its athletes and volunteers. Awards as designated below will be given out at the Annual Meeting and Awards Presentation at the end of each fencing season.

21.1 Manitoba Cup

The Association will present the Manitoba Cup award annually to the member club whose members have scored the greatest number of total points in the top three positions in each open event in local competition over the past fencing season.

21.2 Ranking Awards

The Association shall present awards each year to the athlete in each weapon and gender who finishes the season with the highest national ranking.

21.3 Provincial Champions

The Association shall present awards each year to the athlete in each weapon and gender who wins their open class in the Golden Boy Provincial Championships.

21.4 Youth Cup

The Association shall present an award each year to the athlete who scores the most points in local Under 13 competition over the fencing season.

22.0 NOMINATING COMMITTEE

22.1 Objective

The objective of the Association's Nominating Committee shall be to ensure the continued direction of the Association through the nomination of qualified candidates for position on the Manitoba Fencing Association Executive. Insofar as possible the nominating committee shall try to ensure representation of all member clubs among those nominated for Executive positions.

22.2 Composition

The Nominating Committee shall be composed of three (3) people: the Chairperson, who shall be the Immediate Past President if available, otherwise, appointed from Executive, and two other individuals; drawn from the Executive.

22.3 Duties

The Nominating Committee is responsible for:

1. Developing an outline of criteria upon which the committee would select candidates for nomination as Executive Members.
2. Seeking suitable candidates to fill positions on the Executive and to present their nominations to the Executive and Annual General meeting.
3. Notifying the Association Executive of the proposed slate of officers, by presenting to the secretary, no later than eight (8) days prior to the second last Executive Meeting, the names of those put forward, plus background information on each candidate.

4. Obtaining from nominated candidates, written notice that they are willing to stand for the stated position.

22.4 Period of Operation

The Nominating Committee will be formed in February of each year, and dissolved after the Annual General Meeting. In the event the Immediate Past President of the Association is unable to chair the Nominating Committee, the Manitoba Fencing Association Executive will select an alternate.

23.0 CONSTITUTION/POLICY REVIEW COMMITTEE

23.1 Purpose

The purpose of the Constitution/Policy Review Committee is to ensure the written documentation governing the Manitoba Fencing Association operation accurately reflects the practices of the Association.

23.2 Composition

The Committee shall be comprised of:

- The Chairperson; who shall be the Corporate Secretary of the MFA or another Executive officer
- Two other individuals; selected from the MFA Executive.

23.3 Responsibilities

The committee is responsible for:

- Ensuring the Policy and Procedure Manual is updated accurately, when policy is changed, amended, added, deleted, etc., and to send all Executive Members copies of updates.
- Undertaking a review of the ~~Constitution and~~ Policy and ByLaws on an annual basis to ensure that rules governing the operation of the Association are relevant to current situations; and that the processes set down in the ~~Constitution and~~ Policy and Bylaws are reflected in our Policy and Procedure and/or viceversa.
- Informing the Association Executive and membership of the contents of the ~~Constitution and~~ Policy documents, and informing those concerned to the use of same, and the method of amending/changing the written policy and/or rules governing Association operation.

24.0 TOURNAMENTS

24.1 General

The Association shall conduct tournaments, and compile the results thereof, as described herein. Alternatively, clubs that are registered with the Association may host tournaments, and may derive profits in doing so. Such clubs, however, are solely responsible for all costs incurred in hosting such tournaments, and are also responsible for conducting the tournament in accordance with the Regulations for Competitions of the Federation Internationale d'Esgrime (F.I.E.), and the CFF as applicable to the type of tournament in

question, and forwarding the results of all events to the Association office not later than seven days after the tournament was held.

24.2 Types of Tournaments

The following types of tournaments will be recognized by the Association:

- Open Circuit Tournaments those which are open to members of the Canadian Fencing Federation, of the applicable national association for fencers from outside Canada, and for which points are awarded, the aggregate of which are used to determine the Provincial Award.
- Junior Circuit Tournaments those which are open to members of the Manitoba Fencing Association, or of the applicable national association for fencers from outside Manitoba, and who meet the relevant age criteria. Points for these tournaments will be awarded, the aggregate of which are used to determine the Provincial Junior Award, in the applicable age categories (Cadet: Under 17; Junior: Under 20), if such award is offered in any given year.
- Open NonCircuit Tournaments those tournaments which are open to all Competitive and Recreational members of the Association, or the applicable provincial or national association for fencers from outside Manitoba, and for which points are not awarded.
- Novice and Beginner Tournaments those tournaments which are open to members of the Association who meet the criteria of Novice or Beginner, respectively, which criteria may be established by the Association from time to time, and for which points are not awarded. (Why would we not award Provincial Ranking points for Under 15, Under 13 and Under 11 tournaments? Hey Grandma, I'm 3rd in Manitoba! I think I will do the next tournament, I am sure I can finish the season in 2nd or 1st place!)

24.3 Definitions

Definition: Tournaments are designed to provide the members of the Association an opportunity to compete with players in the same division as themselves. All Canadian Domestic Circuit competitions held in Manitoba must be sanctioned by the MFA.

Open tournaments are competitions held in Manitoba which satisfy the following criteria:

- Open to all competitive members.
- Not closed in any way (i.e. restricted as to age group, classification or place of residence).
- All results must be sent to the MFA on a designated form within ten (10) days of the event, together with such fees as may be required.
- Written notice must be sent at least fifteen (15) days prior to the tournament at least to the clubs and MFA office. Such notice will state the tournament name, the site of the competition, the date, and the schedule of the events.

Amateur Status – The CFF definition of amateur status will be accepted by the MFA.

24.4 Sanctioning

A Manitoba tournament, in order for its results to be counted for National Ranking must be sanctioned by the MFA. Application must be made by the organizers for sanction in accordance with the form required by the MFA, (see Appendix F) sent to the VP Technical no later than thirty (30) days prior to the proposed date of the event.

24.5 Entry Forms

All entries for sanctioned competitions held under CFF rules in Manitoba must be made on entry forms that conform with the Policies and Procedures of the MFA and must include:

1. The name, Club, and passport number of each registered athlete applying to participate.
2. Description of the competition venue, schedule, contact person(s), and entry form information.
3. Waiver of liability in favour of tournament organizers, other participants, officials, MFA, CFF, FIE.
4. The statement "Held under the sanction of the Manitoba Fencing Association, the provincial branch of the Canadian Fencing Federation."
See example, Appendix G.

24.6 Late Entries

The question of accepting or rejecting "Late Entries" shall be left to the decision of the tournament organizers.

24.7 FIE Rules

The competition will be conducted in accordance with the FIE Rules, unless exceptions are announced prior to the event.

24.8 Seeding

Competitors will be seeded and placed in pools and direct elimination tables as follows:

Fencers shall be seeded in accordance with their placing in the most recent issue of the Canadian National Ranking. **(And if there is a provincial ranking for Under 15, Under 13 and Under 11, these would be used for the respective events.)** Those Canadian fencers not placed in these Rankings shall be seeded by drawing on the knowledge of said fencers by the Technical Director of the MFA. If the fencers are not known, they shall be seeded by drawing lots following the lowest ranked competitor (after the above two procedures have been followed). Fencers shall then be placed in pools, avoiding conflict between clubs in the same way as that described in the FIE Rules for the avoidance of conflict between fencers of the same country.

25.0. DISCIPLINE OF PARTICIPANTS

25.1 Code of Conduct

A participant or official may be ejected or disqualified from a game or event or ejected or disqualified from further play for the balance of an event by the President and/or Tournament Director on the following grounds:

1. Non-compliance with the rules and regulations from time to time put in place or adopted by the Association relating to player safety or equipment.

2. Deliberate disregard of the rules of fencing from time to time adopted by Canadian Fencing Federation, which rules constitute the rules enforced by the Association.
3. Verbally or physically abusing an opponent, referees, officials, spectators or the sponsors.
4. Showing dissent to the referee, or officials, including foul or profane language and obscene or offensive gestures.
5. Abusing equipment on the piste.
6. Having entered an event or accepted an invitation to participate, withdrawing from the event or failing to attend.
7. Failing to complete a match.
8. Defaulting from an event. The Tournament Director may require evidence or proof of “Bona Fide” injury, illness or other emergency situation.
9. Failing to make him/herself available to meet reasonable request for interviews by the media.
10. Not complying with the rules or spirit of the game.
11. Any other unreasonable conduct which brings the sport into disrepute, including but not limited to, abusive use of alcohol, non-medical use of drugs, use of alcohol by minors.

25.2 Complaint to the Association

- A. Where an individual is ejected or disqualified from an event for a breach of the Code of Conduct, the Tournament Director or President may, if the breach is deemed serious enough, within 30 days provide a report setting out the reasons for the ejection or disqualification to the Executive requesting further action.
- B. An individual who has been ejected or disqualified from an event for a breach of the Code of Conduct may make an appeal in writing to the Association within 30 days after the event. The appeal must be accompanied by a cheque for \$100 payable to the Manitoba Fencing Association. If the appeal is found in favour of the individual, the \$100 will be returned.
- C. Any individual at an event, whether or not directly affected by the breach of the Code of Conduct or any member of the MFA may make complaint, in writing, with respect to the conduct of an individual, addressed to the Executive of the MFA within 30 days after the event.
- D. The Executive Shall consider the complaint, or appeal at its next regular meeting or may consider the complaint or appeal at any meeting of the Executive called before the next regular meeting.
- E. The MFA Executive having reviewed the complaint or appeal may:
 - a. Decide that no further disciplinary action needs to be taken.

- b. Decide that a hearing should be conducted before a Review Committee composed of the President, Technical Director, and a tournament official. In the event of a conflict of interest for any of the named positions, the Executive will select a suitable replacement.
- c. Take the necessary deemed disciplinary action.

25.3 Notice

- A. The disqualified individual and, if applicable, the Tournament Director and any complainant shall be notified of the decision of Executive of the Association under 25.2 (d) herein within 14 days thereafter.
- B. If a hearing is to be conducted, the disqualified individual shall be provided with the date, the time and with the general particulars of any breach of the Rules of Conduct and with copies of any report or complaint made against him/her within a reasonable time prior to the hearing.
- C. The disqualified individual shall also be informed that he/she can dispense with a hearing and may provide written answer to the complaint or report as in 25.5 (a) herein. The disqualified individual shall be further informed that if s/he does not choose a determination by way of hearing, any appeal of the decision of the way of hearing, and appeal of the decision of the Executive shall be unavailable to the individual.

25.4 Hearing

- A. The Review Committee shall provide any complainant or designated individual an opportunity to provide testimony before it.
- B. The disqualified individual or his/her representative shall be allowed to question any other person providing testimony with regard to the alleged breach of the Code of Conduct.
- C. The disqualified individual or his/her representative shall be given an opportunity to state his/her side of the story and may provide any reasons why s/he should not be suspended from participating in events.
- D. Any other person may provide testimony, within the discretion of the Review Committee.
- E. The Review Committee may ask questions of anyone before it.
- F. The Review Committee has full discretion in the conduct of its proceedings except as heretofore set out and, without limiting the generality of the foregoing may consider any testimony or evidence and hear persons in any order to any number of times during the course of the hearing, or cut off further testimony when a point has been sufficiently made, or where testimony becomes vulgar, inflammatory, or irrelevant, or adjourn any hearing to a different date.

25.5 Without Hearing

1. The disqualified player may notify the Association that s/he does not wish to have a hearing and may, if s/he wishes, submit any argument in writing for the consideration of the Executive. The Executive may consider all evidence before it may make any decisions that it could make if a hearing were called.

2. If the disqualified individual fails to respond to any notice of the Executive of the Manitoba Fencing Association or fails to appear to the hearing without a “Bona Fide” excuse, the disqualified individual shall be deemed to have chosen determination to conformity with 25.5 (1) herein.

25.6 Decision

1. The Executive or Review Committee has full discretion to suspend a disqualified individual from all further events for any period of up to five years in respect of the first substantiated complaint or report.
2. The Executive or Review Committee has full discretion to suspend a disqualified individual for any period up to life on any substantiated complaint or report after the first complaint or report where a suspension was handed out.
3. The Executive or Review Committee shall inform the disqualified individual and, if applicable, the designated individual or any complainant of its decision at the close of the hearing or within 14 days after the hearing.
4. The Executive or Review Committee shall provide brief written reasons of its decision, if requested by the disqualified individual within 30 days of the date of the decision.

26.0 DISCIPLINE POLICY

26.1 Causes

The Association may take disciplinary measures against any member who is guilty or whose parent or guardian is guilty of committing any of the following offenses:

- a) Unsportsmanlike conduct
- b) Dishonest conduct
- c) Use of any drugs at a competition except those prescribed by a physician for strictly therapeutic purposes, or common patent medicines, such as pain relievers, that are not used to impart an unfair advantage to the athlete
- d) Use of any drugs while training with the intention of imparting an unfair advantage in competition.
- e) Harassment (as defined in the Association Harassment Policy)
- f) Collusion
- g) Violent behavior at competition
- h) Consistently disrespectful behavior towards duly appointed officials representing the Association, especially at competition
- i) Any action that damages the reputation of the Association, or the Canadian Fencing Federation

26.2 Scope

Disciplinary measures taken by the Association may include only reprimand, suspension, or expulsion. Reprimand or suspension requires a majority vote of the Executive Committee, whereas expulsion requires a majority vote of the membership at a general meeting.

26.3 Notification

A member subject to disciplinary action must be notified in writing by the Executive Committee within seven days of their decision to take such action. Such notice shall include the nature of the infraction, the penalty, and the justification.

26.4 Appeal

A member who has been reprimanded or suspended may appeal said disciplinary action by notifying the Executive Committee in writing of his or her intention to appeal, at which time the Executive Committee shall notify the membership of the appeal, and hold a vote on the issue at a general meeting, to be held not more than one month after receiving notice of intent to appeal by the fencer.

A member who has been expelled may appeal said expulsion directly with the CFF.

27.0 GENERAL APPEALS POLICY

27.1 Right To Appeal

Any member of the Association who is affected by a decision of the Executive, of any committee of the Executive, or of any body or individual who has been delegated authority to make decisions on behalf of the Executive shall have the right to appeal that decision.

This policy shall not apply to matters relating athlete discipline, which has its own appeal procedures, or to matters relating to the Rules of the Sport, which may not be appealed.

Members who wish to appeal a decision shall have 10 days from the date on which they received notice of the decision, to submit written notice of their intention to appeal, along with detailed reasons for the appeal, to the President of the Association. The appeal must be accompanied by a cheque for \$100.00 payable to the Manitoba Fencing Association. If the appeal is found in favour of the individual, the \$100 will be returned.

An appeal may only be heard if there are sufficient grounds for the appeal. Sufficient grounds include the respondent:

- a) Making a decision for which it did not have authority or jurisdiction as set out in the governing documents;
- b) Failing to follow procedures as laid out in the bylaws or approved policies of the Association;
- c) Making a decision which was influenced by bias;
- d) Failing to consider relevant information or taking into account irrelevant information in making the decision;
- e) Exercising its discretion for an improper purpose; and/or
- f) Making a decision which was unreasonable.

An individual who has been ejected or disqualified from an event for a breach of the Code of Conduct may make an appeal in writing to the Association within 30 days after the event.

27.2 Procedure

1. Within 10 days of receiving notice of an appeal, the President (or designate) shall appoint three persons to constitute an Appeals Committee, in accordance with the following:
 - a. The Committee shall be comprised of at least three members in good standing of the Association who
 - i. Shall have no significant relationship with the appellant,
 - ii. Shall have had no involvement with the decision being appealed, and
 - iii. Shall be free from actual or perceived bias or conflict.
 - b. At least one of the committee members shall be from among the appellant's peers (for example, if the appellant is an athlete, one committee member shall be an athlete; if the appellant is a coach, one of the committee members shall be a coach, etc.).
 - c. In appointing the committee, consideration shall be given to the geographic location of the appellant, respondent and committee members, in order to minimize the expense and inconvenience to all parties.
 - d. The appellant shall be given the opportunity to recommend one of the committee members, providing the member satisfies criteria (a) and (c) above.
2. Within seven days of its appointment, the committee shall review the notice of appeal and reasons for the appeal and shall decide whether or not there are sufficient grounds for an appeal. This decision is discretionary and may not be appealed.
3. If the committee is satisfied that there are not sufficient grounds for an appeal, it shall notify the appellant of this decision in writing, stating reasons. If the committee is satisfied that there are sufficient grounds for an appeal, it shall conduct a Hearing.
4. If the committee conducts a Hearing, it shall govern the Hearing by such procedures as it deems appropriate, provided that:
 - a. The Hearing shall be held within 21 days of the Appeals Committee's appointment;
 - b. The Appellant and respondent shall be given 10 days written notice of the day, time and place of the Hearing;
 - c. Committee members shall select from among themselves a chairperson;
 - d. A quorum shall be all three committee members;
 - e. Decisions shall be made by majority vote;
 - f. Copies of any written documents which either the appellant or respondent wish to have the committee consider shall be provided to all parties at least two days in advance of the Hearing;
 - g. Both the appellant and the respondent may be accompanied by a representative or advisor, including legal counsel;
 - h. The committee may request that any other individual participate and give evidence at the Hearing.
5. In order to keep costs to a reasonable level, the committee may conduct the Hearing by means of a conference call or video conference.
6. Within three days of concluding the Hearing, the committee shall issue its written decision, with reasons. The committee may decide:
 - a. To void, vary or confirm the decision being appealed;
 - b. To make any decision it feels the respondent should have made;
 - c. To refer the matter back to the respondent for a new decision, correcting any errors that were made; and/or

- d. To determine how costs of the appeal shall be allocated.
7. A copy of this decision shall be provided to the appellant, the respondent and the President (or designate) of the Association.

27.3 Timing

If the circumstances of the dispute are such that this policy will not allow a timely appeal, the President (or designate) may direct that these timelines be shortened. Should this be the case, the appellant, respondent and members of the Committee will make every reasonable effort to comply with the revised timelines in order to conclude the appeal in a timely manner.

If the circumstances of the dispute are such that an appeal cannot be concluded within the timelines of this policy, the President (or designate) may seek agreement from the appellant and respondent to extend the timelines.

27.4 Right to Waive Hearing

The appellant shall have the right to decline a Hearing in favour of a documentary review. Should this be the case, the committee shall request both appellant and respondent to provide written submissions, upon which the committee shall make its decision. The Committee may direct such timelines as it deems appropriate in the circumstances in order to conclude the appeal in a timely manner.

27.5 Decision Final

~~The decision of the Committee shall be final and binding, and not open to any further appeal or intervention by any court.~~

28.0 HARRASSMENT POLICY

28.1 Policy Statement

1. The Manitoba Fencing Association (MFA) is committed to providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment which promotes equal opportunities and prohibits discriminatory practices.

Harassment is a form of discrimination. Harassment is prohibited by the *Canadian Charter of Rights and Freedoms* and by human rights legislation in every province and territory in Canada.

Harassment is offensive, degrading, and threatening. In its most extreme forms, harassment can be an offence under *Canada's Criminal Code*.

Whether the harasser is a director, supervisor, employee, coach, official, volunteer, parent, or athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another.

The MFA is committed to providing a sport environment free of harassment on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.

2. This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials, and members of the MFA. The MFA encourages the reporting of all incidents of harassment, regardless of whom the offender may be.
3. This policy applies to harassment which may occur during the course of all MFA business, activities, and events. It also applies to harassment between individuals associated with the MFA but outside MFA business, activities, and events when such harassment adversely affects relationships within the MFA's work and sport environment.
4. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial or territorial human rights commission, even when steps are being taken under this policy.

28. 2 Definitions

1. Harassment takes many forms but can generally be defined as comment, conduct, or gesture directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading, or offensive.
2. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature when;
 - a. Submitting to or rejecting this conduct is used as the basis for making decisions which affect the individual; or
 - b. Such conduct has the purpose or effect of interfering with an individual's performance; or
 - c. Such conduct creates an intimidating, hostile, or offensive environment.
3. Types of behavior which constitute harassment include, but are not limited to;
 - a. Written or verbal abuse or threats;
 - b. The display of visual material which is offensive or which one ought to know is offensive;
 - c. Unwelcome remarks, jokes, comments, innuendo, or taunting about a person's looks, body, attire, age, race, religion, sex, or sexual orientation;
 - d. Leering or other suggestive or obscene gestures;
 - e. Condescending, paternalist, or patronizing behavior which undermines self-esteem, diminishes performance, or adversely affects working conditions;
 - f. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
 - g. Unwanted physical contact, including touching, petting, pinching, or kissing;
 - h. Unwelcome sexual flirtations, advances, requests, or invitations; or
 - i. Physical or sexual assault.
4. Sexual harassment most commonly occurs in the form of behavior by males toward females; however, sexual harassment can also occur as behavior by females toward males, between males, or between females.
5. For the purposes of this policy, retaliation against an individual
 - a. For having filed a complaint under this policy; or
 - b. For having participated in any procedure under this policy; or
 - c. For having been associated with a person who filed a complaint or participated in any procedure under this policy.

Will be treated as harassment, and will not be tolerated.

28.3 Responsibility

1. The MFA – President and Executive Director are responsible for the implementation of this policy. In addition, the MFA President and Executive Director are responsible for:
 - a. Discouraging and preventing harassment within the MFA;
 - b. Investigating formal complaints of harassment in a sensitive, responsible, and timely manner;
 - c. Imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender;
 - d. Providing advice to persons who experience harassment;
 - e. Doing all in their power to support and assist any employee or member of the MFA who experiences harassment by someone who is not an employee or member of the MFA;
 - f. Making all members and employees of the MFA aware of the problem of harassment, and in particular, sexual harassment, and of the procedures contained in this policy;
 - g. Informing both complainants and respondents of the procedures contained in this policy and of their rights under the law;
 - h. Regularly reviewing the terms of this policy to ensure that it adequately meets the organization's legal obligations and public policy objectives;
 - i. Appointing harassment officers and being responsible to provide the training and resources they need to fulfill their responsibilities under this policy;
 - j. Appointing unbiased case review panels and appeal bodies and providing the resources and support they need to fulfill their responsibilities under this policy.
2. Every member of the MFA has a responsibility to play a part in ensuring that the MFA sport environment is free from harassment. This means not engaging in, allowing, condoning, or ignoring behavior contrary to this policy. In addition, any member of the MFA who believes that a fellow member has experienced or is experiencing harassment is encouraged to notify a harassment officer appointed under this policy.
3. In the event that either the MFA Treasurer or the Executive Director are involved in a complaint which is made under this policy, the MFA President shall appoint a suitable alternate for the purposes of dealing with the complaint.

28.4 Coach/Athlete Sexual Relations

The MFA takes the view that intimate sexual relationships between coaches and adult athletes, while not against the law, can have harmful effects on the individual athlete involved, on other athletes and coaches and on the MFA's public image. The MFA therefore takes the position that such relationships are unacceptable for coaches employed by the MFA.

Should a sexual relationship develop between an athlete and a coach, the MFA will investigate and take action which could include reassignment, or if this is not feasible, a request for resignation or dismissal from employment.

28.5 Disciplinary Action

Employees or members of the MFA against whom a complaint of harassment is substantiated may be severely disciplined, up to and including employment dismissal or termination of membership in cases where the harassment takes the form of assault, sexual assault, or a related sexual offence.

28.6 Confidentiality

1. The FMA understands that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly convicted of harassment. The MFA recognizes the interests of both the complainant and the respondent in keeping the matter confidential.
2. The MFA shall not disclose to outside parties the name of the complainant, the circumstances giving rise to a complaint, or the name of the respondent unless such disclosure is required by a disciplinary or other remedial process.

28.7 Harassment Officers

1. The MFA shall appoint at least two persons, one male and one female, who are themselves members or employees of the MFA, to serve as officers under this policy. If more than two officers are appointed, the MFA shall ensure a gender balance.
2. The role of harassment officers is to serve in a neutral, unbiased capacity and to receive complaints, assist in informal resolution of complaints and investigate formal written complaints. In carrying out their duties under this policy, officers shall be directly responsible to the President.
3. The MFA shall ensure that officers receive appropriate training and support for carrying out their responsibilities under this policy.
4. The names of the Harassment Officers will be posted on the website to be contacted through the Executive Director.

28.8 Complaint Procedure

1. A person who experiences harassment is encouraged to make it known to the harasser that the behavior is unwelcome, offensive, and contrary to this policy.
2. If confronting the harasser is not possible, or if after confronting the harasser, the harassment continues, the complainant should seek the advice of a harassment officer.
3. The harassment officer shall inform the complainant of:
 - a. The options for pursuing an informal resolution of his or her complaint;
 - b. The right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
 - c. The availability of counseling and other support provided by the MFA;
 - d. The confidentiality provisions of this policy;
 - e. The right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
 - f. The external mediation/arbitration mechanisms that may be available;

- g. The right to withdraw from any further action in connection with the complaint at any stage (even though the MFA might continue to investigate the complaint); and
 - h. Other avenues of recourse, including the right to file a complaint with the human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the *Criminal Code*.
4. There are three possible outcomes to this initial meeting of complaint and officer:
- a. *The complainant and officer agree that the conduct does not constitute harassment.*
If this occurs, the harassment officer will take no further action and will make no written record.
 - b. *The complainant brings evidence of harassment and chooses to pursue an informal resolution of the complaint.*
If this occurs, the harassment officer will assist the two parties to negotiate a solution acceptable to the complainant. If desired by the parties and if appropriate, the harassment officer may also seek the assistance of a neutral mediator.
If informal resolution yields a result which is acceptable to both parties, the harassment officer will make a written record that a complaint was made and was resolved informally to the satisfaction of both parties, and will take no further action.
If informal resolution fails to satisfy the complaint, the complainant will reserve the option of laying a formal written complaint.
 - c. *The complainant brings evidence of harassment and decides to lay a formal written complaint.*
If this occurs, the harassment officer will assist the complainant in drafting a formal written complaint, to be signed by the complainant, and a copy given to the respondent without delay. The written complaint should set out the details of the incident(s), the names of any witnesses to the incident(s), and should be dated and signed.
The respondent will be given an opportunity to provide a written response to the complaint. The harassment officer may assist the respondent in preparing this response.
5. As soon as possible after receiving the written complaint, but within 21 days, the harassment officer shall submit a report to the Treasurer and Executive Director, containing the documentation filed by both parties along with a recommendation that:
- a. No further action be taken because the complaint is unfounded or the conduct cannot reasonably be said to fall within this policy's definition of harassment; or
 - b. The complaint should be investigated further.
- A copy of this report shall be provided, without delay, to both the complainant and the respondent.
6. In the event that the harassment officer's recommendation is to proceed with an investigation, the President and Executive Director shall, within 14 days, appoint three members of the MFA to serve as a case review panel. This panel shall consist of at least one woman and at least one man. To ensure freedom from bias, no member of the panel shall have a significant personal or professional relationship with either the complainant or the respondent.
7. Within 21 days of its appointment, the case review panel shall convene a hearing. The hearing shall be governed by such procedures as the panel may decide, provided that:
- a. The complainant and respondent shall be given 14 days notice, in writing, of the day, time and place of the hearing.
 - b. Members of the panel shall select a chairperson from among themselves.
 - c. A quorum shall be all three panel members.
 - d. Decisions shall be by majority vote. If a majority vote decision is not possible, the decision of the chairperson will be the decision of the panel.

- e. The hearing shall be held in camera.
 - f. Both parties shall be present at the hearing to give evidence and to answer questions of the other party and of the panel. If the complainant does not appear, the matter will be dismissed. If the respondent does not appear, the hearing will proceed.
 - g. The complainant and respondent may be accompanied by a representative or adviser.
 - h. The harassment officer may attend the hearing at the request of the panel.
8. Within 14 days of the hearing, the case review panel shall present its findings in a report to the MFA President and Executive Director, which shall contain:
 - a. A summary of the relevant facts;
 - b. A determination as to whether the acts complained of constitute harassment as defined in this policy;
 - c. Recommended disciplinary action against the respondent, if the acts constitute harassment;
 - d. Recommended measures to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute harassment.
9. If the panel determines that the allegations of harassment are false, vexatious, retaliatory, or unfounded, its report shall recommend disciplinary action against the complainant.
10. A copy of the report of the case review panel shall be provided, without delay, to both the complainant and the respondent.
11. When determining appropriate disciplinary action and corrective measures, the case review panel shall consider such factors as:
 - a. The nature of the harassment;
 - b. Whether the harassment involved any physical contact;
 - c. Whether the harassment was an isolated incident or part of an on-going pattern;
 - d. The nature of the relationship between complainant and harasser;
 - e. The age of the complainant;
 - f. Whether the harasser had been involved in previous harassment incidents;
 - g. Whether the harasser admitted responsibility and expressed a willingness to change; and
 - h. Whether the harasser retaliated against the complainant.
12. In recommending disciplinary sanctions, the panel may consider the following options, singly or in combination, depending on the severity of the harassment:
 - a. Verbal apology;
 - b. A written apology;
 - c. A letter of reprimand from the sport organization;
 - d. A fine or levy;
 - e. Referral to counseling;
 - f. Removal of certain privileges of membership or employment;
 - g. Demotion or a pay cut;
 - h. Temporary suspension with or without pay;
 - i. Termination of employment or contract; or
 - j. Expulsion from membership.
13. Where the investigation does not result in a finding of harassment, a copy of the report of the case review panel shall be placed in the harassment officer files. These files shall be kept confidential and

access to them shall be restricted to the MFA President, the Executive Director, and harassment officers.

14. Where the investigation results in a finding of harassment, a copy of the report of the case review panel shall be placed in the personnel or membership file of the respondent. Unless the findings of the panel are overturned upon appeal, this report shall be retained for a period of ten years, unless new circumstances dictate that the report should be kept for a longer period of time.

28.9 Procedure Where a Person Believes That a Colleague Has Been Harassed

Where a person believes that a colleague has experienced or is experiencing harassment and reports this belief to a harassment officer, the officer shall meet with the person who is said to have experienced harassment and shall then proceed in accordance with Section 22.

28.10 Appeals

1. Both the complainant and the respondent shall have the right to appeal the decision and recommendations of the case review panel. A notice of intention to appeal, along with grounds for the appeal, must be provided to the chairperson of the case review panel within 14 days of the complainant or respondent receiving the panel's report.
2. Permissible grounds for an appeal are:
 - a. The panel did not follow the procedures laid out in this policy;
 - b. Members of the panel were influenced by bias; or
 - c. The panel reached a decision which was grossly unfair or unreasonable.
3. In the event that a notice of appeal is filed, the MFA President and the Executive Director shall together appoint a minimum of three members to constitute the appeal body. This appeal body shall consist of at least one woman and at least one man. These individuals must have no significant personal or professional involvement with either the complainant or respondent, and no prior involvement in the dispute between them.
4. The appeal body shall base its decision solely on a review of the documentation surrounding the complaint, including the complainant's and respondent's statements, the reports of the harassment officer and the case review panel, and the notice of appeal.
5. Within ten days of its appointment, the appeal body shall present its findings in a report to the MFA President and Executive Director. The appeal body shall have the authority to uphold the decision of the panel, to reverse the decision of the panel, and/or to modify any of the panel's recommendations for disciplinary action or remedial measures.
6. A copy of the appeal body's report shall be provided, without delay, to the complainant and respondent.
7. The decision of the appeal body shall be final.

28.11 Review and Approval

1. This policy was approved by the MFA Executive on May 11, 1999.

2. This policy shall be reviewed by the President and Executive Director on an annual basis.

29.0 SECURITY SCREENING POLICY

29.1 General

All persons who are applicants for any paid positions, and all volunteers working in sensitive positions with the Manitoba Fencing Association (MFA) shall be required to complete mandatory security screening. *Child abuse registry* Sensitive positions are defined as those of contractees, Executive members, and those working or volunteering in unsupervised capacities with MFA members under the age of 18.

29.2 Application

Persons offering to volunteer their services in sensitive positions as above, including MFA Executive officers shall be required to complete the preliminary screening, Step I of the Screening Procedure as set out herein. All prospective chaperones, managers, instructors, coaches who have not yet been screened shall complete the Screening Process (Step I to Step 6) as set out herein. Copies of the relevant forms appear as Appendix H.

Although the MFA has no jurisdiction over those employed or volunteering in sensitive capacities within the clubs, the Association will strongly urge all clubs to conduct the same screening procedure, and will handle the paperwork and pay the costs of so doing in order to encourage club participation.

29.3 Onus on Applicant

Throughout this screening process, an applicant has the right to refuse to participate in the required screening. Refusal to complete this process is not deemed to be an admission that the applicant's name appears on either the police or Provincial Child Abuse Registry's data banks. However, such refusal shall automatically bar the applicant from association with all under 18 members of the MFA until such time as the screening process has been completed satisfactorily.

29.4 Screening Procedure

The following general process shall be instituted:

Step 1 – Volunteer Declaration

Applicants shall complete and sign the volunteer application form and a declaration stating that s/he:

- Has no criminal record:
- Does not have/does not know of any listing of his/her name with the Provincial Abuse Registry.

Note: MFA deems completion of this declaration by a volunteer applicant to be proof of the applicant's willingness to voluntarily comply with and complete the screening process.

Step 2 – Assessment

The Executive Director shall review the volunteer application which outlines the applicant's skills, abilities and reasons for wanting to become involved in the MFA. Based on the information provided and the availability of a volunteer position, the Executive Director shall determine whether to proceed with the

application process. (The Executive Director should contact the references provided prior to making a determination).

Step 3 – Applicant’s Declaration

Once the decision to proceed has been made, the Executive Director shall retain the declaration for the MFA files.

Step 4 – Application

The Executive Director shall provide the applicant with the appropriate application form(s) needed for the Provincial Child Abuse Registry check and a CPIC, Canadian Police Information Centre information package.

Step 5 – Provincial Abuse Registry Process

As specified by the Provincial Child Abuse Registry.

- a. Verification of Identification – The Executive Director shall verify that s/he has personally examined two pieces of identification and declare that the applicant is the person making application to be a volunteer with the MFA. Note: One of these pieces of identification must be a picture ID.
- b. Forms submitted to Provincial Child Abuse Registry – The Executive Director forwards the completed Provincial Child Abuse Registry application form to the Provincial Child Abuse Registry.
- c. Abuse Registry Conducts Check – The agency searches its database or registry.
- d. Notification – The Executive Director notifies the applicant and advises s/he may or may not work on a voluntary basis or in a paid position with the MFA as a result of the Provincial Abuse Registry notification.
- e. Notification – The Executive Director notifies the applicant and advises s/he may or may not work on a voluntary basis or in a paid position with the MFA as a result of the Provincial Abuse Registry notification.

Step 6 – CPIC Check Process

This may be done either by the local police or by the local RCUT Detachment.

- a. CPIC Information Package – The applicant completes the CPIC application and provides copies of the required identification to the Executive Director of the MFA. This will include signing an authorization to release results to the Executive Director.
The Executive Director makes the request for a CPIC check to the police, and pays the proscribed fee. Note: The applicant must indicate on the CPIC application that they are seeking a position of trust working with young people.
- b. Police Action – The police will process the application immediately or advise the applicant when it will be available. The CPIC check will be given directly to the MFA by the police.
- c. MFA Action – The Executive Director notifies the applicant and advises s/he may or may not work on a voluntary basis or in a paid position with the MFA.

29.5 Unsatisfactory Checks

Should an agency check reveal registration on the Provincial Child Abuse Registry, the MFA shall not allow the applicant to work with the MFA in a sensitive capacity. Should an agency check reveal a criminal record, the President and Executive Director shall discuss the relevance of the record to the position being filled. They may also choose to meet with the applicant to request further information. Based on these

discussions, they may decide to refuse the applicant any work with the MFA, or if the record is deemed irrelevant, may permit such work at their discretion.

29.6 Rejected Applicants

Rejected applicants who dispute the background check shall be referred to the appropriate source agency(ies).

29.7 Onus on Volunteer or Applicant for a Paid Position

In all cases, the onus rests with the volunteer and any applicant for a paid position with the MFA to initiate and pursue any or all steps with the agency(ies) to correct errors or mistakes.

29.8 Appeal

The MFA may reconsider a volunteer's or an applicant for a paid position re-application provided that the agency confirms in writing on letterhead that an error had been made in the original check and that the applicant's name should not have and now does not appear on its database(s). Notwithstanding, the MFA retains the right to determine any applicant's eligibility to work with the MFA.

29.9 Screening Results Protected

Agency verification reports received by the MFA are, upon receipt, the property of the MFA and shall be treated as confidential. The Executive Director shall treat the MFA's notification as "PROTECTED".

29.10 Updates

All screened personnel, whether in a paid or unpaid position, are required to submit annually an updated volunteer application, volunteer's declaration, CPIC and Provincial Child Abuse Registry certificates.

30.0 MFA ATHLETE TRAVEL POLICY

When athletes travel to out of town tournaments on trips sponsored and organized by the MFA, as part of MFA programs, the following policies and procedures shall apply:

30.1 Supervision of Athletes Under Age 18

1. During travel to and within the city where the tournament is held, the athletes are actively supervised by MFA staff or their designates. However, depending on the number of fencers and the number of vans, it may be necessary at time for fencers to be left without adult supervision for a specified period of time while a van makes a run to or from the next location. Fencers in such situation will always be left in groups of two or more, in a specified location such as a hotel or venue lobby, and are required to remain at that location until the transport returns for them.
2. While at the fencing venue staff is available, but as staff will of course be busy at various times with coaching and managerial duties, fencers are expected to exhibit appropriate behavior, to seek out staff when needed, and not to leave the venue unless accompanied by **a staff member**.

3. When not at the venue, until lights out each night, fencers are actively supervised by **MFA staff**. As this is a large group, they may not always be with an adult while within the hotel. In order not to unduly restrict the athletes within the hotel, they are expected to follow a buddy system. If leaving the area of the hotel where staff are present, they must have at least one other fencer with them, and must ensure staff know where they are going and with whom. Fencers under 12 must ensure that at least one of their "buddies" is 12 or over. Fencers **MUST NOT** leave the hotel unless accompanied by **a staff member**.
4. Fencers are expected to be in their assigned rooms by 9:30 p.m. unless told otherwise **by staff**, with "lights out" at 10:30 p.m. Fencers are not permitted to enter the rooms of team mates of the opposite gender. **(Open door policy?)**
5. Staff will check on fencers at approximately 10:30 p.m. to ensure that all are in their assigned rooms. After "lights out" at 10:30 p.m., staff supervision will switch from "active" to "passive" mode. All fencers will have been informed of the room number and phone number of the team manager in case of emergency (ex. medical problems). Fencers will be informed of the time to meet for breakfast, at which time staff again resume an active supervisory role.
6. Athletes are expected to behave responsibly at all times, following the rules laid down by MFA staff, as well as the signed Code of Conduct. Parents should be aware that although staff is responsible for the athletes for the entire trip and will always be available in case of emergency, they cannot monitor all athletes all the time and still perform their duties! Any parent not comfortable with this level of supervision should reconsider allowing their child to participate in the travel program.

30.2 Athlete Code of Conduct

Athletes and parents/guardians will sign a copy of the code of conduct which appears as Appendix 1.

30.3 Athlete Travel Waiver

Athletes and parent/guardians will sign a copy of the MFA travel waiver appearing in Appendix J.

~~31.0 USE OF FENCING CENTRE AND MFA EQUIPMENT~~

~~In accordance with the Association's Constitution, both individual members and club members of the MFA are entitled to use the Winnipeg Fencing Centre and MFA personal, non-electric equipment on regularly scheduled operating nights, without charge.~~

~~31.1 Winnipeg Fencing Centre~~

~~Individual members may use the Centre on regular open nights without prior arrangement, but must bring personal electric equipment if they wish to practice with electronic scoring systems.~~

31.2 Equipment Loans and Rental

1. Personal equipment is defined as that which is worn or directly used by the individual, and includes the weapon, body-cord, mask, jacket, etc. Judging equipment includes the piste, reels, reel cords, and any part of the electronic judging apparatus.

2. The MFA will provide an armoury containing non-electric equipment in all weapons. Judging equipment shall also be made available to the membership wherever possible. Judging equipment shall be used for all MFA sanctioned tournaments. However, the MFA will not under any circumstances guarantee the availability of personal equipment as fluctuating demands for equipment are beyond its control. Neither shall the MFA warrant that such equipment shall conform to the regulations of the FIE or CFF.
3. Non-electric personal training equipment is available for use by members under the MFA Constitution. Competitive members shall be entirely responsible for providing their own personal electric equipment for tournament use.
4. All equipment must be returned to the MFA Armoury in FULL working order. Any damages or breakages that occur during rental are the full responsibility of the individual using or renting the equipment.
5. Equipment shall be signed out and rentals collected by the Technical Director.

MANITOBA FENCING ASSOCIATION HARASSMENT AND ABUSE POLICIES & PROCEDURES

May 18, 2004

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(We wish to acknowledge and thank the Canadian Hockey Association for allowing us to use CHA policies in developing this document)

1. RECOGNITION AND PREVENTION OF ABUSE POLICY

This policy sets out the principles and practices of the MFA with regard to abusive behaviour towards participants. Each member association, club or league is responsible for adopting a similar policy and adapting it to reflect their specific needs.

1.1 Relationship to Harassment Policy

Some behaviours that are defined as abuse when directed towards a child or youth may constitute harassment when directed towards a peer or when perpetrated between adults. The MFA's Harassment Policy covers such behaviours. Together, the two policies address the entire spectrum of abusive and harassing behaviours.

1.2 Statement of Purpose

The MFA is part of the sporting community in our country that is committed to seeking better ways to keep our youth safe. Protecting participants from all forms of abuse and neglect, whether emotional, physical or sexual, is an important element of safety. The MFA considers any form of abuse or neglect to be unacceptable and will do all it can to prevent this intolerable social problem. To this end, the MFA will promote awareness of all forms of abuse and neglect by providing educational materials and programs for participants, parents, volunteers and staff members. Through the use of these strategies, we will send a clear message to all potential abusers and sexual predators that (Sport Name) participants are not easy targets. The MFA is committed to the highest possible standards of care for its participants.

1.3 Policy

It is the policy of the MFA that there shall be no abuse and neglect, whether physical, emotional or sexual of any participant in any of its programs. The MFA expects every parent, volunteer and staff member to take all reasonable steps to safeguard the welfare of its participants and protect them from any form of maltreatment.

1.4.1. Definitions of Abuse

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care that causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. In Manitoba a child is considered any person under the age of 18.

1.4.2. Emotional Abuse

Emotional abuse is a chronic attack on a child's self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take the form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child's needs.

1.4.3. Physical Abuse

Physical abuse is when a person in a position of power or trust purposefully injures or threatens to injure a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.

1.4.4. Neglect

Neglect is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. This may occur in fencing when injuries are not adequately treated or participants are made to play with injuries, weight loss or gain is required to "make weight", equipment is inadequate or unsafe; no one intervenes when teammates are persistently harassing another participant, or road trips are not properly supervised.

1.4.5. Sexual Abuse

Sexual abuse is when an older child, adolescent or adult for his or her own sexual stimulation or gratification, uses a young person. There are two categories:

Contact	Non-Contact
<ul style="list-style-type: none">• touched or fondled in sexual areas• forced to touch another person's sexual areas• kissed or held in a sexual manner• forced to perform oral sex• vaginal or anal intercourse• vaginal or anal penetration with an object or finger• sexually oriented hazing	<ul style="list-style-type: none">• obscene remarks on phone/computer or in notes• voyeurism• shown pornography• forced to watch sexual acts• sexually intrusive questions and comments• forced to pose for sexual photographs or videos• forced to self-masturbate or forced to watch others masturbate

1.4.6. Harassment and Abuse – Differences and Similarities

	Abuse	Harassment
Types	Emotional, physical, sexual, lack of care	Emotional, physical, sexual; may be motivated by racial or other forms of prejudice
Victim	Any person under age of majority as determined by Provincial and Territorial Child Protection Acts; may be male or female	Person of any age; may be male or female
Offender	Any person who has power or authority over victim and/or breeches trust; may be male or female	May be peer or person with power or authority over adult victim; may be male or female
Investigation	External to organization; referred to child welfare or police	Most often internal unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow-up actions	Determined by Provincial and Territorial Child Protection Acts and Criminal Code; civil suits may also occur	Determined by organization's harassment policies, Criminal Code, labour tribunals, civil action and/or Provincial Human Rights Tribunals; may be used concurrently or alone
Philosophy	The victim is not to blame; offenders are responsible for their behaviour	The victim is not to blame; offenders are responsible for their behaviour

1.4.7. Duty to Report

Abuse and neglect are community problems requiring urgent attention. The MFA is committed to help reduce and prevent the abuse and neglect of participants. The MFA realizes that persons working closely with children and youth have a special awareness of abusive situations. Therefore these people have a particular reporting responsibility to ensure the safety of Manitoba's young, by knowing their provincial protection acts and following through as required.

Manitoba has mandatory reporting laws regarding the abuse and neglect of children and youth. Consequently, it is the policy of the MFA that any MFA personnel (part-time and full-time staff, volunteer,

participant, team official,) or MFA partner (parent, guardian) who, has reasonable grounds to suspect that a participant is or may be suffering or may have suffered from emotional, physical abuse and neglect and/or sexual abuse shall immediately report the suspicion and the information on which it is based to the local child protection agency and/or the local police detachment. In Manitoba a child is considered anyone under the age of 18.

Those involved with the MFA in providing fencing opportunities for participants understand and agree that abuse or neglect, as defined above, may be the subject of a criminal investigation and/or disciplinary procedures. Failure to report an offence and thereby, failure to provide safety for participants may render the adult who keeps silent legally liable for conviction under the provincial child protection acts.

By educating our provincial body, members and fencing association personnel, the MFA is weaving a tighter safety web around our most precious resources... the participants!

2. MFA HARASSMENT POLICY

This policy sets out the principles and practices of the MFA with regard to abusive behaviour towards participants. Each member association, club or league is responsible for adopting a similar policy and adapting it to reflect their specific needs.

2.1 Relationship to Recognition and Prevention of Abuse Policy

Some behaviours that might be described as harassment when directed towards an adult, may constitute abuse when directed towards a child or youth by any person with power or authority over the person harassed. The MFA's Recognition and Prevention of Abuse Policy covers such behaviours. Together, the two policies address the entire spectrum of abusive and harassing behaviours.

2.2 Statement of Purpose

The MFA is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination that is prohibited by human rights legislation in Canada. The MFA supports the right of all its members, whether athletes, volunteers or employees, to participate in all MFA activities free from any form of harassment. Further, the MFA emphasizes the importance of eliminating harassment in fencing as a key element in ensuring the safety of young participants. A sport environment that actively discourages harassment and builds relationships based on trust and mutual respect is an environment that discourages the abuse of children and youth, and encourages the overall development of the individual.

In order to further these aims, the MFA will make every reasonable effort to promote awareness of the problem of harassment among all its members, and to respond swiftly and effectively to complaints or disclosures of harassment.

2.3 Policy

It is the policy of the MFA that harassment in all its forms will not be tolerated during the course of any MFA activity or program. Accordingly, all MFA personnel (staff, volunteers, participants, coaches or officials) and partners (parents, guardians) are responsible for making every reasonable effort to uphold this commitment. Specifically, this includes refraining from harassing behaviour, responding promptly and informally to minor incidents of harassment and following local or national policy guidelines for reporting or responding to more serious complaints of harassment. Athletes and other participants are expected to refrain from harassing behaviour and are encouraged to report incidents of harassment.

2.3.1. Definition of 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, and 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 may be based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (e.g.: player to player of the same age group, parent to official, coach to coach) or between someone in a position of power or authority and an adult in a subordinate position (e.g.: coach to player, sports administrator to employee).

The following is a non-exhaustive list of examples of harassment:

- Unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation etc.
- Condescending, patronizing, threatening or punishing actions which undermine self-esteem
- Practical jokes which cause awkwardness or embarrassment, or may endanger a person's safety
- Any form of hazing
- Unwanted or unnecessary physical contact including touching, patting, pinching
- Unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation, or which might on reasonable grounds be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or advancement
- Sexual assault or physical assault

It is important to note that the behaviours described above, when directed towards a child or youth, constitute abuse under child protection legislation. This may also be true of other behaviours, for example, certain hazing practices. In such cases, the duty to report provisions of the Recognition and Prevention of Abuse Policy come into effect.

2.3.2 Harassment and Abuse – Differences and Similarities

	Abuse	Harassment
Types	Emotional, physical, sexual, lack of care	Emotional, physical, sexual; may be motivated by racial or other forms of prejudice
Victim	Any person under age of majority as determined by Provincial and Territorial Child Protection Acts; may be male or female	Person of any age; may be male or female
Offender	Any person who has power or authority over victim and/or breaches trust; may be male or female	May be peer or person with power or authority over adult victim; may be male or female
Investigation	External to organization; referred to child welfare or police	Most often internal unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow-up actions	Determined by Provincial and Territorial Child Protection Acts and Criminal Code; civil suits may also occur	Determined by organization's harassment policies, Criminal Code, labour tribunals, civil action and/or Provincial Human Rights Tribunals; may be used concurrently or alone
Philosophy	The victim is not to blame; offenders are responsible for their behaviour	The victim is not to blame; offenders are responsible for their behaviour

2.3.3 Response and Remedies

Harassment of all kinds has been tolerated for too long in sport, being accepted as a part of the culture of the game and used by individuals who would not condone such conduct out of the fencing environment. It is the position of the MFA that harassment can be tolerated no longer. Harassment is unacceptable and harmful. The MFA recognizes the serious negative impact of all types of harassment on personal dignity, individual and group development and performance, enjoyment of the game and in some cases, personal safety.

At the same time, the MFA recognizes that not all incidents of harassment are equally serious in their consequences. Harassment covers a wide spectrum of behaviours, and the response to harassment must be equally broad in range, appropriate to the behaviour in question and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigation and settlement of any complaint of harassment must be fair to all parties, allowing adequate opportunity for the presentation of a defense to the charges).

Minor incidents of harassment (e.g.: inappropriate jokes) should be corrected promptly and informally, taking a constructive approach and with the aim of bringing about a change in negative attitudes and behaviour.

More serious incidents (e.g.: a course of repeated taunting, any form of sexual or physical assault) should be dealt with according to the association policy guidelines. Complaints should be handled in a timely, sensitive, responsible and confidential manner. There should be no tolerance of reprisals taken against any party to a complaint. The names of parties and the circumstances of the complaint should be kept confidential except where disclosure is necessary for the purposes of investigation or taking disciplinary measures.

Anyone making a complaint, which is found to be clearly unfounded, false, malicious or frivolous, will be subject to discipline.

Procedures for the handling of complaints brought against national employees or volunteers of the MFA are detailed in the “Harassment Complaint Procedures”

3 HARASSMENT COMPLAINT PROCEDURES

Note: For convenience, this policy uses the term “Complainant” to refer to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. The term “Respondent” refers to the person against whom a complaint is made.

3.1 APPLICATION

This policy applies to all MFA directors, officers, employees, volunteers and members. It applies to harassment that may occur during the course of all MFA business, activities and events.

3.2 MINOR INSTANCES OF HARASSMENT

This policy does not prevent an appropriate person having authority from taking immediate, informal, corrective disciplinary action in response to behaviour that, in their view, constitutes a minor incident of harassment.

3.3 REPORTING HARASSMENT

A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive and contrary to the policies of MFA.

1. If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the Complainant should request a meeting with an Official of MFA For the purposes of this Policy, an “Official” is any MFA Harassment Advisor, Executive Director, Board Member or other individual occupying a position of authority within the MFA

2. Once contacted by a Complainant the role of the Official is to serve in a neutral, unbiased capacity in receiving the complaint and assisting in its informal resolution. If the Official considers that he or she is unable to act in this capacity, the Complainant will be referred to another suitable MFA Official.
3. Where a person believes that a director, officer, employee, volunteer or member of MFA has experienced or is experiencing harassment and reports this belief to an Official, the Official will meet with the person said to have experienced harassment and proceed in accordance with these procedures.
4. Where an Official believes there is sufficient evidence to warrant laying a formal complaint but the Complainant does not wish to do so, the Official may lay a formal complaint and proceed in accordance with these procedures.

3.4 COMPLAINT PROCEDURE

1. There are three possible outcomes to a meeting of Complainant and Official:
 - a. It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter will be closed;
 - b. The Complainant may decide to pursue an informal resolution of the complaint, in which case a mediator as agreed to by both the complainant and the respondent will assist the two parties to negotiate or mediate an acceptable resolution of the complaint; or
 - c. The Complainant may decide to lay a formal written complaint, in which case the Official will receive the written complaint and will advise the President of the MFA, or designate, who will appoint an independent individual to conduct an investigation of the complaint.
2. The Investigator will carry out the investigation in a timely manner and at the conclusion of the investigation will submit a written report to the President, or designate, which will include a recommendation that:
 - a. No further action be taken because the complaint is unfounded or the conduct cannot be reasonably be said to fall within the MFA's definition of harassment; or
 - b. The complaint has merit and should proceed to a hearing.
3. Within 10 business days of receiving the written report of the Investigator that recommends that there be a hearing the President, or designate, will appoint three individuals to serve as a Panel.
4. At the discretion of the President, or designate, the investigation may be waived and a Panel appointed within 10 business days of receipt of a formal complaint.

3.5 HEARING

1. The Panel will hold the hearing as soon as possible, but not more than 15 business days after the Panel has been appointed.
2. The Panel will govern the hearing as it deems appropriate in the circumstances, provided that:
 - a. Members of the Panel shall select from among themselves a chairperson;
 - b. A quorum shall be all three Panel members;
 - c. Decisions shall be by majority vote where the chairperson carries a vote;
 - d. The parties may be accompanied by a representative;
 - e. The hearing will be held in private;
 - f. The parties will be given 10 business days written notice of the day, time and place of the hearing;
 - g. The Respondent will receive a copy of the formal complaint;
 - h. The Complainant and Respondent will each receive a copy of the Investigator's report;
 - i. Both the Complainant and Respondent will be present at the hearing to respond to the Investigator's report, give evidence and to answer questions of the Panel. The hearing may proceed in the absence of either or both parties;
 - j. The Investigator may attend the hearing at the request of the Panel;
 - k. The Panel may request that witnesses to the incident be present or submit written evidence;
 - l. Once appointed, the Panel has the authority to abridge or extend timelines associated with all aspects of the hearing;
 - m. In the event that one of the Panel's members is unable or unwilling to continue with the hearing, the matter will be concluded by the remaining two Panel members who will make their decision unanimously.
3. In order to keep costs to a reasonable level the Panel may conduct the hearing by means of a telephone conference.

3.6 DECISION

1. As soon as possible but in any event within 10 business days of the conclusion of the hearing, the Panel will provide its written decision to the President, or designate, with a copy provided to both the Complainant and Respondent. The decision will contain:
 - a. A summary of the relevant facts;
 - b. A determination as to whether the acts complained of constitute harassment as defined in this policy;
 - c. Disciplinary action against the Respondent, if the acts constitute harassment; and
 - d. Measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute harassment.
2. If the Panel determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, its report may direct that there be disciplinary sanctions against the Complainant.

3. Unless the Panel decides otherwise, any disciplinary sanctions applied shall take effect immediately.
4. The decision of the Panel will be final and binding upon the Complainant, the Respondent and the MFA.

3.7 CONFIDENTIALITY

The MFA recognizes the sensitive nature of harassment matters and in particular, the difficulties associated with coming forward with a complaint of harassment and with being accused of harassment. The MFA recognizes the interests of both the Complainant and the Respondent in keeping any matter being dealt with under this policy confidential, except where disclosure is required by a disciplinary proceeding or by law.

32.0 DISPUTE RESOLUTION POLICY

32.1 Policy Statement

The Manitoba Fencing Association supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, mediation and arbitration as effective ways to resolve disputes with and among members, and to avoid the uncertainty, costs and other negative effects associated with litigation.

32.2 Scope

1. This policy applies to disputes with and among members, where the term “Member” refers to all categories of members within the MFA, as well as to all individuals engaged in activities with or employed by the MFA, including but not limited to: athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees (including contract personnel).
2. This policy does not apply to disputes relating to:
 - a. Matters of employment;
 - b. Infractions for doping offences, which are dealt with pursuant to the Canadian Policy on Doping in Sport and the Canadian Doping Control Regulations;
 - c. The rules of [the sport], which may not be appealed; and
 - d. Discipline matters arising during events organized by entities other than the MFA, which are dealt with pursuant to the policies of these other entities.

32.3 Negotiation

The Manitoba Fencing Association encourages all Members to communicate openly and to collaborate in using problem-solving and negotiation techniques to resolve their differences. In almost all cases a negotiated settlement is preferable to any outcome achieved through other dispute resolution techniques, and negotiated resolutions to disputes with and among Members are strongly encouraged.

32.4 Facilitation and Mediation

1. Opportunities for facilitation and mediation may be pursued at any point in a dispute within the MFA where it is appropriate and where the disputing parties agree that such a course of action would be mutually beneficial.
2. Where mediation is pursued, it will be done so in accordance with standard mediation practice using trained mediators who are acceptable to the parties.

32.5 Appeals

Appeals within The Manitoba Fencing Association will be dealt with under the The Manitoba Fencing Association Appeal Policy.

32.6 Arbitration

1. In the event that a dispute persists after internal avenues of decision-making, negotiation, facilitation, mediation and/or appeals have been exhausted, opportunities for independent arbitration may be pursued by the parties.
2. Where such independent arbitration is pursued, it will be done so in accordance with standard arbitration practice using trained arbitrators who are acceptable to the parties.
3. The parties involved in a dispute may also mutually agree to bypass internal avenues of dispute resolution and may directly pursue opportunities for independent arbitration.
4. Where a dispute is referred to arbitration, all parties to the original dispute will become parties to the arbitration.
5. The parties to arbitration will enter into a written Arbitration Agreement that will specify that the decision of the arbitrator will be final and binding upon the parties and not subject to any further review by any court or any other body.

32.7 No Legal Action

No action, application for judicial review or other legal proceeding will be commenced against ABC respecting a dispute, unless the remedies afforded by this policy have been exhausted.

32.8 Approval

This policy was approved by The Manitoba Fencing Association Executive Committee on XXXXX It will be reviewed on an annual basis by the Corporate Secretary and Executive Director and may be amended, deleted or replaced by a resolution of the Board.

Manitoba Fencing Association **PRIVACY POLICY**

Purpose of this Policy

1. Privacy of personal information is governed by the *Personal Information Protection and Electronics Documents Act* (“PIPEDA”). This policy describes the way that the MFA collects, uses, retains, safeguards, discloses and disposes of personal information, and states the MFA’s commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA, and the MFA’s interpretation of these responsibilities.

Background

2. Our organization, the MFA, is the governing body for the sport of fencing in Manitoba and provides these services to members and the public.

Personal Information

3. Personal information is information about an identifiable individual. Personal information includes information that relates to their personal characteristics (e.g., gender, age, income, home address or phone number, ethnic background, family status), their health (e.g., health history, health conditions, health services received by them) or their activities and views (e.g., religion, politics, opinions expressed by an individual, an opinion or evaluation of an individual). Personal information, however, does not include business information (e.g., an individual's business address and telephone number), which is not protected by privacy legislation.

Accountability

4. The Executive Director is the Privacy Officer and is responsible for the monitoring information collection and data security, and ensuring that all staff receive appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles personal information access requests and complaints. The Privacy Officer may be contacted at the following address:

308 – 145 Pacific Avenue
Winnipeg, MB R3B 2Z6
(204) 925-5696
fencing@sportmanitoba.ca

Purpose

5. Personal information will only be collected by the MFA to meet and maintain the highest standard of organizing and programming the sport of fencing, the MFA collects personal information from prospective members, members, coaches, referees, participants, managers and volunteers for purposes that include, but are not limited to, the following:
 - a) Name, address, phone number, cell phone number, fax number and e-mail address for the purpose of communicating about the MFA's programs, events and activities.
 - b) National Coaching Certification Program number, education, resumes and experience for database entry at the Coaching Association of Canada to determine level of certification and coaching qualifications.
 - c) Credit card information for registration at conferences, travel administration, and purchasing equipment, coaching manuals and other products and resources.
 - d) Date of birth, athlete biography, and member club to determine eligibility, age group and appropriate level of play.
 - e) Banking information, social insurance number, criminal records check, resume, and beneficiaries for MFA's payroll, company insurance and health plan.
 - f) Criminal records check and related personal reference information for the purpose of implementing MFA's volunteer screening program.
 - g) Personal health information including allergies, emergency contact and past medical history(if appropriate) for use in the case of medical emergency.
 - h) Athlete whereabouts information including sport/discipline, training times and venues, training camp dates and locations, travel plans, competition schedule, and disability, if applicable, for Canadian Centre for Ethics in Sport inquiries for the purposes of out-of-competition drug testing.
 - i) Marketing information including attitudinal and demographic data on individual members to determine membership demographic structure, and program wants and needs.
 - j) Name, address, phone number, cell phone number, fax number and e-mail address for the purpose of providing insurance coverage, managing insurance claims and conducting insurance investigations.

6. If a purpose has not been identified herein, the MFA will seek consent from individuals when personal information is used for a purpose not already consented to. This consent will be documented as to when and how it was received.

Consent

7. Consent is required to be obtained by lawful means from individuals at the time of collection, prior to the use or disclosure of the personal information. If the consent to the collection, use or disclosure was not obtained upon receipt of the information, consent will be obtained prior to the use or disclosure of that information. The MFA may collect personal information without consent where reasonable to do so and where permitted by law.
8. By providing personal information to the MFA, individuals are consenting to the use of the information for the purposes identified in this policy.
9. The MFA will not, as a condition of a product or service, require an individual to consent to the collection, use or disclosure of information beyond that required to fulfill the specified purpose.
10. An individual may withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions, provided the individual gives one weeks notice of such withdrawal to the MFA. The Privacy Officer will advise the individual of the implications of such withdrawal.

Limiting Collection

11. All personal information will be collected fairly, by lawful means and for the purposes as specified in this policy. The MFA will not use any form of deception to obtain personal information.

Limiting Use, Disclosure and Retention

12. Personal information will not be used or disclosed by the MFA for purposes other than those for which it was collected as described herein, except with the consent of the individual or as required by law.
13. Personal information will be retained for certain periods of time in accordance with the following:
 - a) Registration data and athlete information may be retained for a period of three years after an individual has left a program of the MFA, in the event that the individual chooses to return to the program;
 - b) Parental/family information may be retained for a period of three years after an individual has left a program of the MFA, in the event that the individual chooses to return to the program;
 - c) Information collected by coaches may be retained for a period of three years after an individual has left a program of the MFA, in the event that the individual chooses to return to the program.
 - d) Employee information will be retained for a period of seven years in accordance with Canada Customs and Revenue Agency requirements.
 - e) Personal health information (if it was obtained) will be immediately destroyed when an individual chooses to leave a program of the MFA.
14. Personal information that is used to make a decision about an individual (ie. Disciplinary decisions, financial etc.) will be maintained for a minimum of one year of time to allow the individual access to the information after the decision has been made.
15. The MFA may disclose personal information to a government authority that has asserted its lawful authority to obtain the information or where the MFA has reasonable grounds to believe the information could be useful in

the investigation of an unlawful activity, or to comply with a subpoena or warrant or an order made by the court or otherwise as permitted by applicable law.

16. Documents will be destroyed by way of shredding and electronic files will be deleted in their entirety. When hardware is discarded, the MFA will ensure that the hard drive is physically destroyed.

Accuracy

17. The MFA will use accurate and up-to-date information as is necessary for the purposes for which it is to be used, to minimize the possibility that inappropriate information may be used to make a decision about an individual.

Safeguards

18. Personal information is protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification.
19. Methods of protection and safeguards include, but are not limited to, locked filing cabinets, restricted access to offices, security clearances, need-to-know access and technological measures including the use of passwords, encryption and firewalls.
20. The following steps will be taken to ensure security:
 - a) Paper information is either under supervision or secured in a locked or restricted area.
 - b) Electronic hardware is either under supervision or secured in a locked or restricted area at all times. In addition, passwords are used on computers.
 - c) Paper information is transmitted through sealed, addressed envelopes or in boxes by reputable courier/delivery companies.
 - d) Electronic information is transmitted either through a direct line or is encrypted.
 - e) Staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with this policy.
 - f) External consultants and agencies with access to personal information will provide the MFA with appropriate privacy assurances.

Openness

21. The MFA will publicize information about its policies and practices relating to the management of personal information. This information is available through this policy, or on the MFA's web site.
22. The information available to the public includes:
 - a) The name or title, address and telephone number of the MFA's Privacy Officer.
 - b) The forms that may be used to access personal information or change information.
 - c) A description of the type of personal information held by the MFA, including a general statement of its approved uses.

Individual Access

23. Upon written request, and with assistance from the MFA, an individual may be informed of the existence, use and disclosure of his or her personal information and will be given access to that information. As well, an

individual is entitled to be informed of the source of the personal information along with an account of third parties to whom the information has been disclosed.

24. Requested information will be disclosed to the individual within 30 days of receipt of the written request at no cost to the individual, or at nominal cost relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
25. If personal information is inaccurate or incomplete, it will be amended as required.
26. An individual may be denied access to his or her personal information if:
 - a) This information is prohibitively costly to provide;
 - b) The information contains references to other individuals;
 - c) The information cannot be disclosed for legal, security or commercial proprietary purposes;
 - d) The information is subject to solicitor-client or litigation privilege.
27. Upon refusal, the MFA will inform the individual the reasons for the refusal and the associated provisions of PIPEDA.

Challenging Compliance

28. An individual may challenge the MFA's compliance with this policy and PIPEDA, by submitting a challenge in writing.
29. Upon receipt of a written complaint, the MFA will:
 - a) Record the date the complaint is received;
 - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
 - c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within three days of receipt of the complaint;
 - d) Appoint an investigator using the MFA personnel or an independent investigator, who will have the skills necessary to conduct a fair and impartial investigation, and who will have unfettered access to all files and personnel, within ten days of receipt of the complaint.
 - e) Upon completion of the investigation and within 25 days of receipt of the complaint, the investigator will submit a written report to the MFA.
 - f) Notify the complainant of the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures, within 30 days of receipt of the complaint.
30. An individual may appeal a decision made by the MFA under this Policy, in accordance with the MFA's policies for appeals.