

RIGHTS & RESPONSIBILITIES

DISPUTE PREVENTION AND RESOLUTION FOR CANADIAN ATHLETES



Developed in
collaboration
with



Funded by the
Government
of Canada



Don't let ambiguous fine print, policy misinterpretation and other governance matters ruin years of efforts and hard work to reach your goals on the playing field.

Take the time to read this carefully.

SDRCC

The Sport Dispute Resolution Centre of Canada (SDRCC) is a not-for-profit organization offering dispute prevention and resolution services to the sport community. It is funded by Sport Canada to resolve disputes between National Sport Organizations (NSO) and their members at the national level.

T: (514) 866-1245 F: (514) 866-1246
T: 1-866-733-7767 F: 1-877-733-1246

www.sdrcc.ca

AthletesCAN

As the voice of Canadian national team athletes, AthletesCAN ensures an athlete-centered sport system by developing athlete leaders who influence sport policy and, as role models, inspire a strong sport culture.

AthletesCAN Sport Solution: An AthletesCAN program offering access to free information, as well as assistance and guidance on sport issues that may require legal counsel. (Contact info: sportsolution@athletescan.com)

T: (613) 526-4025 T: 1-888-832-4222 E: info@athletescan.com

www.athletescan.com

RIGHT

To be aware of and have access to the policies and rules that apply to you

Team selection policies are usually established several months in advance. In order to give you a fair chance of achieving your goals, your NSO should provide you with all relevant details including the criteria to meet and the processes to follow. Other rules and policies, such as the code of conduct or carding criteria, are also important for you to know so that you are aware of what is expected of you to be a member in good standing or to have the opportunity to receive funding.

RESPONSIBILITY

To ask for or know where to find policies and rules

Do you know where to find the policies that apply to you (team selection, athlete funding, code of conduct, etc.)? If you are unable to access these policies online, or are unaware of when changes are made, ask for these policies, talk to your athlete representative and follow-up with your NSO to make sure you have a copy and check for updates on a regular basis.

HOW TO:

Stay Informed

Subscribe to all relevant newsletters, bulletins, or social media pages from your NSO and from other organizations such as AthletesCAN, CCES or SIRC to keep up-to-date with current events.

Be Involved

The more active you are in your NSO, the better informed you will be about things that matter, including funding and team selection.

If your NSO consults its membership in drafting policies, take every opportunity to voice your opinion, whether positive or constructive, to support positive change within the organization.

If you are interested in a leadership role (e.g. athlete representative) within your NSO:

- Let your NSO know that you are interested;
- Find out the eligibility criteria or requirements for the various positions;
- Inquire about the commitment and experience required;
- Seek feedback from past athletes who have fulfilled these roles;
- Contact AthletesCAN for information.

RIGHT

To have the opportunity to learn about an agreement or contract before signing

You are likely to be presented with several documents to sign during your career, such as athlete agreements and sponsorship contracts. These documents are often long and complicated. The person or organization issuing the document must provide you with an adequate amount of time to read through the document in detail. If deemed necessary, you should also have the right to seek external advice before signing it.

DID YOU KNOW?

The purpose of the Athlete/NSO Agreement is to outline in writing the rights, privileges, and obligations of the carded athlete and the NSO. Important components of the agreement include:

- The NSO's obligations and the benefits made available to the carded athlete;
- The athlete's obligations, such as training programs, event attendance or financial commitments;
- Specific Sport Canada and NSO policies by which the carded athlete must abide;
- The lead time for when the carding criteria for the next cycle will be published;
- A reference to the appeal procedure to follow in case of a dispute.

RESPONSIBILITY

To read and understand the agreement or contract before signing

Taking the time to read the documents is extremely crucial. If you sign or agree to something too quickly, you may lose the right to challenge an ambiguous or incorrect statement later. Pay attention to references to other policies and rules that are not reproduced in the contract itself; you should become familiar with them as such references bind you to those policies and rules. Also, be aware that the content of athlete agreements may be amended from one year to the next, so reading the full text every time is highly recommended.

Avoid costly legal fees and civil court proceedings by inserting an alternative dispute resolution (ADR) clause in your other sports-related agreements (e.g. sponsorship contracts). By naming the SDRCC as an ADR service provider, you guarantee yourself access to affordable services.

Sport Canada: <http://www.canada.ca/en/services/culture/sport.html>

RIGHT

To appeal an unfair decision or decision taken incorrectly

While all sport organizations should have an appeal policy to allow their members the opportunity to challenge decisions that affect them, NSOs funded by Sport Canada are obligated to do so. This policy must outline the principles and procedures to be followed to have an appeal heard by an impartial panel. The appeal policy should be available on every NSO's website, however if it is not, you can request it from your NSO directly. The appeal policy may also be integrated or referred to in other documents such as the Athlete Agreement or Team Selection Criteria.

RESPONSIBILITY

To keep copies of all documents/ correspondence that could be used as evidence in case of conflicts

In the event of an appeal, or simply in order to assist in a discussion regarding a decision that concerns you, it is in your best interest to be able to provide proof and to support your position with relevant facts. When things are going well, you may not see the importance of documenting your communications. Although it may never be necessary to use the information you have collected, it just may provide the evidence needed to defend your right to fair decisions.

TIPS FOR GOOD RECORDKEEPING

#1

Never delete e-mails, received or sent, pertaining to your sport — create a filing system that allows you to easily find them again (e.g. by event: “carding 2017–18” or “national team selection 2019”)

#2

Log key events pertaining to your sport each year, noting specific dates and times, your performance and other significant events, news, meetings, conversations, etc.

#3

After important telephone or in-person conversations (i.e. with a High Performance Director or Head Coach), make notes on what was said.

RIGHT

To compete in a clean, doping-free sport

You have devoted a lot of time and effort to your training; you deserve to compete on a playing field that is fair and doping-free. Programs designed to fight doping in sport are there to protect your right to measure yourself against competitors who are also clean. In Canada, the Canadian Anti-Doping Program (CADP) establishes the standards by which all athletes have to live to maintain a clean and doping-free sport.

RESPONSIBILITY

To support anti-doping efforts and comply with the Canadian Anti-Doping Program

To protect your right to compete in doping-free sport, you must know and respect your obligations under the CADP as well as cooperate with doping control activities. You can take a stand against doping, and encourage others to do the same, by accepting that compliance to no-notice out-of-competition testing allows cheaters to be weeded out of your own playing field.

ABOUT THE CADP

- The CADP rules are enforced by the Canadian Centre for Ethics in Sport (CCES), the anti-doping organization responsible for all doping control activities in Canada.
- All NSOs funded by Sport Canada have adopted the CADP as their own rules, so by taking part in sport, you are bound by these rules.

FIND OUT:

What substances are prohibited

www.wada-ama.org/list

Whether or not medications contain prohibited substances

www.globaldro.com

If you are part of a testing pool and what this means for you

OR

How to request a therapeutic use exemption if you have no choice but to take a prohibited substance for legitimate medical purposes

www.cces.ca/en/registeredtestingpool

CCES: <http://cces.ca/canadian-anti-doping-program>