

Hockey Eastern Ontario (HEO) / Hockey Eastern Ontario Minor (HEO Minor) Dressing Room Policy

1 Purpose

- a) Hockey Eastern Ontario and Hockey Eastern Ontario Minor are committed to providing a safe, respectful, and fully inclusive environment for players, parents/guardians, staff, and volunteers;
- b) With the support of HEO and HEO Minor the Nepean Minor Hockey Association (NMHA) will proactively work to ensure that all dressing room spaces and procedures are safe, inclusive, and equitable by anticipating and removing barriers that prohibit the inclusive participation of any and all players;
- c) All players will have access to dressing room facilities that most appropriately meet their individual needs, which may or may not include accommodations with respect to gender identity and gender expression;
- d) All requests for dressing room accommodations will be taken seriously and will be assessed on an individual and confidential basis in order to address the specific needs and requirements of all players;
- e) With the support of the HEO and HEO Minor the NMHA will work collaboratively with and advocate for players to identify the most appropriate access to dressing rooms, including any interim and long term accommodation solutions, so as to reflect both individual players' needs and the potential structural limitations of facilities;
- f) This policy is written in accordance with Ontario's *Human Rights Code* (1990) (the *Code*), which prohibits the discrimination of all people on a number of protected grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, and disability; and
- g) Under the *Code*, organizations and their personnel are liable for any discrimination and harassment based on gender identity and gender expression, or any other prohibited ground under the *Code*. Hockey associations must deal with complaints, take steps to prevent problems, and provide a safe and welcoming environment for trans people and all other persons protected under the *Code*.

2 Definitions

Refer to the NMHA Confidentiality Statement for definitions of terms utilized throughout this document.

3 Rights and Responsibilities of Players

- i. All players have the right to:
 - a. be a respected and equal registered participant of NMHA;
 - b. have access to safe, inclusive, and equitable dressing room spaces and procedures that proactively anticipate and remove barriers to participation;
 - c. define and express their gender identity without fear of discrimination, harassment, or penalization within the NMHA;
 - d. request the use of, and be referred to by, their self-identified name(s) and pronouns within all documentation and by the NMHA;
 - e. with the support of HEO and HEO Minor have the NMHA advocate on their behalf with respect to individual needs and requirements with respect to the protected grounds within the *Human Rights Code*;
 - f. utilize a change room or agreed upon equivalent changing area that meets their individual needs, including their gender identity and gender expression;
 - g. have all personal information kept confidential and disclosed only at the player's request and/or with the player's consent; and
 - h. be protected from discrimination and reprisal in response to a request to access change rooms based on gender identity and gender expression or a related accommodation request.
- ii. All players are responsible for:
 - a. treating all staff, volunteers, parents/guardians of players, and other players of NMHA with respect;
 - b. asking for assistance and support to the best of their ability from the NMHA when experiencing discrimination (e.g., differential treatment/difficulty accessing dressing rooms and other gender segregated areas based on lived gender identity) or when requiring related accommodation; and

Egale Canada Human Rights Trust is Canada's only national charity promoting LGBT human rights through research, education and community engagement.

- c. in the event that they request an accommodation, working collaboratively with the NMHA to find appropriate and equivalent dressing areas when faced with building limitations.

4 Rights and Responsibilities of the NMHA

All staff, volunteers, and parents/guardians of players of the NMHA have the right to:

- a. be respected and equally treated under the Human Rights Code and within the NMHA;
 - b. be protected from discrimination, harassment and reprisal, and be accommodated for individual needs, based on their gender identity, gender expression or other prohibited ground of discrimination; and
 - c. be protected from discrimination, harassment and reprisal stemming from an association with another individual because of that person's gender identity, gender expression or other prohibited ground of discrimination.
- ii. The NMHA, with support from the HEO and HEO Minor are responsible for:
- a. treating all staff, volunteers, parents/guardians of players, and other players of the NMHA with respect;
 - b. working proactively to ensure safe, inclusive, and equitable dressing room and other gender-segregated spaces and procedures for all players by anticipating and removing barriers to participation;
 - c. providing safe and confidential opportunities for players to discuss and seek compliance with their human rights, including accommodations for their individual needs;
 - d. ensuring that a player's individual needs and requirements are met, including the use of their self-identified name(s) and pronouns within all documentation and by the NMHA;
 - e. advocating for a player's rights, including individual accommodation needs and requirements with respect to the protected grounds within the *Code*;

- f. ensuring that all players are able to utilize the dressing room that is in accord with their gender identity and gender expression, and/or that meets any accommodation needs they may have;
- g. when requested by a player, working collaboratively with them to find an appropriate and equivalent changing area that meets their individual needs, including their gender identity and gender expression; and
- h. ensuring that a player's personal information, including their sex/assigned sex and/or gender identity, is kept confidential and disclosed only at the player's request and/or with the player's consent.

5 Promoting Safe, Inclusive, and Equitable Participation

All players have the right to participate fully within HEO and HEO Minor in accordance with its By-Laws, Regulations, and Policies. To do so, the NMHA, with support from HEO and HEO Minor are responsible for working proactively to ensure all dressing room spaces and procedures are safe, inclusive, and equitable by anticipating and removing all barriers to participation. This includes anticipating and removing barriers for players protected under one or more of the aforementioned grounds (e.g., gender identity and disability).

For example, if the NMHA is required to utilize a facility that contains a limited number of dressing rooms, it is the responsibility of the NMHA, with support from HEO and HEO Minor to anticipate and implement inclusive and equitable spaces and procedures within the structural limitations of the building. This may include developing equitable changing schedules based on gender identity. For instance, alternating the order in which players of different gender identities use the dressing room so that all players, regardless of their gender identity, have an opportunity to change first.

6 Seeking Recognition of Gender Identity and Equal Access to Dressing Rooms and Other Gender-segregated Spaces

All players have the right to utilize a dressing room or appropriate and equivalent changing area based on their gender identity and gender expression. If a player requires additional support to meet their individual needs over and above proactive efforts to remove barriers to inclusive participation, the player has the right to seek accommodations from the NMHA. The NMHA, once receiving the accommodation request in writing, either directly from the player or from the player's parent(s)/guardian(s), is required to meet and work collaboratively with a player to find an appropriate and equivalent option. This may include utilizing a pre-existing dressing room or an appropriate and equivalent changing area if required to utilize a facility with a limited number of dressing rooms.

As each player is different, the NMHA must assess and manage all accommodation requests on an individual basis. The NMHA must provide safe and confidential opportunities to meet with any player(s) who wants to discuss their individual needs and potential accommodations.

With respect to gender identity and gender expression, a player has the right to utilize the dressing room or appropriate and equivalent changing area that the player considers to be most safe, inclusive, and reflective of their gender identity and gender expression, and transition status. This is the case regardless of the player's age, legal name, sex/assigned sex, or gender markers on identification documents. Players must be allowed and enabled to have parent(s)/guardian(s) support them when discussing access to gender appropriate dressing rooms; however, the involvement of a parent/guardian may not be appropriate and is not always required. All requests to the NMHA, with support from HEO and HEO Minor, must be taken seriously and acted on in a timely manner.

7 Recognizing Gender Identity and Providing Equal Access to Facilities

7.1 Self-identified Names and Pronouns

All players have the right to utilize their self-identified name(s) and pronouns, regardless of their sex/assigned sex, their status of transition, or their legal name and gender markers on identification documents. Upon request, the NMHA should make every effort to utilize and refer to a player by their self-identified name(s) and pronouns on documents and in daily conversation. Intentionally misgendering or inappropriately referring to a player by their given name(s), or their self-identified name(s) and pronouns without prior consent (e.g., if a player is not 'out' to family members, the team, other players, staff and volunteers of the NMHA, etc.) is harmful and a form of discrimination.

7.2 Dressing Rooms and Appropriate and Equivalent Changing Areas

All players have the right to utilize the dressing room in accord with their gender identity and gender expression and that meets their individual needs. If, due to building constraints and despite the best proactive efforts of the NMHA, a dressing room that meets a player's individual needs is unavailable, it is the responsibility of the NMHA, with support from HEO and HEO Minor to work in collaboration with the player to find an appropriate and equivalent changing area. This may include the NMHA working with facility management on behalf of the player to find an appropriate and equivalent changing area to ensure a player's needs are met and their right to inclusion and equal treatment are respected.

To ensure that all players are equal and valued members of a team, the team officials should only engage in pre and post-game talks when all players are present.

8 Confidentiality and Privacy

All players have the right to privacy. The NMHA, with support from HEO and HEO Minor, is responsible for ensuring that a player's private information, including, but not limited to, their sex/assigned sex and/or gender identity, remains confidential. The NMHA is expected to exercise due diligence with respect to issues of confidentiality and privacy. Disclosure of private information, including to parent(s)/guardian(s), can only take place upon the player's request and/or with the player's consent.

9 Complaints

The NMHA must ensure that dressing rooms and appropriate and equivalent changing areas are safe, inclusive, and equitable environments for all players. In particular, trans players must be provided with safe environments, free from discrimination, harassment and violence relating to gender identity and gender expression. It is the responsibility of the NMHA to have a complaint process for addressing player grievances. The player has the right to have an individual of their choice (e.g., parent/guardian, other family member, mentor, friend, etc.) assist and support them within this process.

Unfounded concerns about safety are also sometimes used to attempt to justify discriminatory treatment relating to gender identity and gender expression. Complaints claiming that the inclusion of trans players in dressing rooms that accord with their gender identity or gender expression poses a safety threat or puts themselves or other players at risk are based on false and biased assumptions. In such cases, the bias of the complaint must be addressed and the player's right to access facilities that accord with their gender identity and gender expression must not be impeded based on this bias. Ultimately, the NMHA must not exclude trans players in response to complaints based on presumed risk.

10 Review

The Policy will be reviewed by the applicable Branch on an annual basis.