



# Race Line



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Race Line is the Alcohol and Gaming Commission of Ontario (AGCO)'s publication for Ontario's horse racing industry. Printed copies are available at racetracks and industry associations and it may be viewed online in both official languages at [www.agco.ca](http://www.agco.ca). We welcome your ideas and input. If there are topics you would like to see addressed in future publications, or if you wish to subscribe to Race Line to receive it and other AGCO horse racing-related communications electronically, please email [connect@agco.ca](mailto:connect@agco.ca) or call 416 326-3614.

## Industry Working Groups Update

Two of the AGCO's industry working groups\* established this spring, held their first meetings in May. Thoughtful, engaged and energetic, both groups brought significant insights to the table during the sessions.

AGCO staff presented to both groups, an overview of the Education Training and Awareness (ETA) strategy, which focuses on providing the industry with education and training opportunities to ensure compliance is met, and explained how the Order of Monetary Penalty Fund is being used to support these initiatives. They also explained how the AGCO is planning to move the horse racing industry towards a more flexible form of regulation, using a standards-based rules approach similar to its other lines of business.

### OFFICIATING WORKING GROUP

The objective of this group is to provide advice to the AGCO regarding: enhancing transparency of officiating through improved communication between AGCO Race Officials, racing participants and the betting public; enhancing consistency as it relates to infraction reviews, where possible and necessary, for in-race violations; the AGCO's ongoing consistency and transparency-enhancing projects such as the repurposing of the Central Adjudication Room (CAR), officiating recruitment and training, Drone and further Video Review pilots, and the Race Report and Twitter pilot initiative.

The working group met in May and June and plans to meet twice more in July and August.

### EQUINE DRUG PROGRAM WORKING GROUP

Mandated to protect the betting public, equine testing by the CPMA increases confidence that horses are not racing under the influence of performance-altering drugs. In keeping with this objective, the working group will be discussing the 90-day suspension of the horse rule, the appointed decision-maker in



the positive test process, education, training, and awareness initiatives pertaining to equine drug use, ways in which positive tests and cases of potential contamination are dealt with and, suspensions and monetary penalties. Their role is to see if improvements could be made to existing regulatory practices to ensure that horses are not being entered into races with masked injuries, that there is a level playing field for all participants and that positive tests are managed in a fair, modern, and meaningful manner.

The working group met in May and June and plans to meet two to three more times over the next few months.

\*A list of Working Group members may be found in Information Bulletin No. 42 - AGCO-Stakeholder Working Groups Membership List, available on the AGCO website at [www.agco.ca](http://www.agco.ca).

### WHAT'S NEXT?

- Both Working Groups will continue to meet over the summer. The Health and Safety Working Group is expected to start meetings in late summer, with membership being announced prior to the first meeting.
- Given the substantial agenda at present for both the AGCO and the industry, the establishment of the Rules Review Advisory Committee and call for members has been tabled until spring/summer 2018.

## Race Reports and Twitter Pilot Continuing at Mohawk Racetrack



Following a successful run at The Raceway at Western Fair District, the AGCO made the decision to continue the pilot at Mohawk Racetrack after The Raceway closed for the season. Race Official's Race Reports are posted by both Mohawk and **Standardbred Canada** after each card of racing. Follow us on Twitter at [@AGCO\\_Racing](https://twitter.com/AGCO_Racing) and [@CAJO\\_Courses](https://twitter.com/CAJO_Courses). Part of **the 'Moving Ahead: Horse Racing Regulation in Ontario' project**, this AGCO pilot is intended to increase transparency and enhance communication. Feedback on the pilot is welcomed at [connect@agco.ca](mailto:connect@agco.ca).

# A closer look at how the new AGCO website works for you.

AGCO has launched an updated website to better serve you and all of its stakeholders. Please note the new website address [www.agco.ca](http://www.agco.ca) and update your bookmarks!

## WHY A NEW WEBSITE?

The new website is part of the AGCO's objectives of being a modern regulator and offering a quality service experience. The new website was designed with the user in mind, with the goal of enhancing and simplifying their online experience. At the core of this redesign are user portals. These portals are meant to be a "one-stop-shop" for AGCO customers, that group together all relevant information based on their needs.

## HOW WILL THE NEW WEBSITE SERVE YOU BETTER?

The portals in the Horse Racing section of the new website link users to licensing information, testing and EIPH program information, officials and vets lists and approved race dates, as well as to the *Horse Racing Licence Act*, the *Rules of Racing*, Directives and Information Bulletins. Users can also access English and French copies of this newsletter, links to helpful industry resources and the AGCO's 'Moving Ahead: Horse Racing Reform' project page.

The "For the Public" section, contains general information on Ontario horse racing, the AGCO's Racing Operations and regulatory roles and a "who does what" overview of other entities associated with the industry. This section also provides



a list of AGCO Offices at racetracks, complete with contact numbers and hours of operation.

Our new website was also designed to be compliant with the *Accessibility for Ontarians with Disabilities Act (AODA)* and conforms to the World Wide Web Consortium Web Content Accessibility Guidelines, both in design and functionality. The aim of this design was to remove barriers for people with disabilities.

Another one of the website's exciting new features is its mobile friendliness. With the ability to adapt to any screen size, accessing AGCO information from your smart phone or tablet has never been easier.

Check out [www.agco.ca](http://www.agco.ca) for further information. We welcome any comments on the site's redesign and any suggestions for continued improvement.

## What you Need to Know About the Horse Racing Appeal Panel

The Horse Racing Appeal Panel (HRAP) is an independent adjudicative body mandated to hear appeals of decisions made under the Rules of Racing. Previously, Ontario Racing Commission (ORC) Board members heard all appeals for all racing matters—licensing, suspensions, in-race violations, etc. The HRAP was established on April 1, 2016 under the *Horse Racing Licence Act, 2015* when the regulatory functions of the ORC were transferred to the Alcohol and Gaming Commission of Ontario (AGCO).

### ONTARIO'S LICENCE APPEAL TRIBUNAL

Keep in mind that appeals relating to a Notice of Proposed Order from the Registrar (e.g. pertaining to the issuance, renewal, suspension or revocation of a horse racing licence) must file their appeal with Ontario's Licence Appeal Tribunal. For more information about this process, please visit <http://www.slsto.gov.on.ca/en/lat>.

### WHAT DOES HRAP DO?

Any person who disagrees with a decision made by an AGCO Racing Official, including Judges, Stewards and/or the Registrar of Alcohol, Gaming and Racing (Registrar), may appeal that decision to the HRAP. Typically, appeals before the HRAP relate to on-track and conduct violations, positive test cases and other rulings and decisions made by AGCO Racing Officials. Hearings are held in accordance with the HRAP's Rules of Procedure, which are designed to ensure a fair, open and accessible process for all parties.

### PANEL MEMBERS

Panel members are appointed by the AGCO Board. Appointments are made on a competitive, merit-based process, with the express goal of having a broad representation from across the horse racing industry. There are currently ten members who sit as adjudicators on the HRAP. The Panel is chaired by Mr. Stanley Sadinsky, who has served the legal, gaming and horse racing community for over fifty years, and previously acted as the Chair of the ORC for nine years. The other members of the Panel are: Sandra Meyrick (Vice-Chair), John Charalambous, Dr. John Hayes, Bruce Murray, Brian

Newton, John Unger, Julie Jamieson, Dale Downey and Dr. Bernd Kretzchmar. Bios of all the Panel members are available on the HRAP's website at [www.hrappanel.ca](http://www.hrappanel.ca).

### YOUR RIGHT TO APPEAL

AGCO Racing Officials, including Judges and Stewards, are responsible for the administration of the Rules of Racing. Officials direct inspections into alleged rule violations, conduct reviews into regulatory matters, and issue decisions including suspensions or monetary penalties. They may also fine/suspend licensees for violations or add terms and conditions to licences. You have the right to appeal these decisions by filing a Notice of Appeal with the HRAP within 15 days of the decision. Following a hearing, the HRAP may confirm or vary the decision being appealed or set it aside.

### A FEW NOTES

- A list of current appeals (appeals that have been filed and are currently before the Panel) may be found online on the HRAP website at [www.hrappanel.ca/proceedings](http://www.hrappanel.ca/proceedings).
- The HRAP issues its official decisions in writing. Published decisions are available free of charge on the Canadian Legal Information Institute website (CanLII) at <http://www.canlii.org/en/on/onhrap>.
- In addition, a link to all of the Decisions and Orders of the HRAP since its creation in April 2016 may be found on the HRAP's website.

### NEED MORE INFORMATION?

The Panel is supported by the HRAP Secretariat, a small group of staff who are responsible for providing administrative and operational support for the tribunal. If you have questions about the HRAP or on how to appeal a decision, feel free to contact the HRAP Secretariat by phone at 416 326-8700 or e-mail at [info@hrappealpanel.ca](mailto:info@hrappealpanel.ca). In addition, the HRAP has published a *Guide to Appeals Before the Horse Racing Appeal Panel*, which, along with a library of information sheets and forms, is available on the HRAP website to support and educate participants on the appeal process.

## The AGCO Board of Directors

AGCO Board members are appointed by the Lieutenant Governor in Council, through an Order-in-Council and each has demonstrated the qualities of honesty, integrity and a commitment to public service.

The Board of Directors is responsible for the overall governance of the Commission and meets on a monthly basis. Following a



Grace Kerr

17-year tenure with the Board, Chair Eleanor Meslin retired in December 2016 and was replaced by ten-year Board member Grace Kerr.

Current AGCO Board members are: S. Grace Kerr (Chair, pictured), Elmer Buchanan, Anthony (Tony) Williams, Linda Nagel and Jane Holmes.

## Changes to the Standardbred Rules of Racing

**REVISIONS** | **Standardbred Directive No. 3 – 2017** has been released, which amends the Standardbred Rules of Racing, 2016, and removes the requirement for head numbers and revises the claiming provisions. The following sections are affected:

- **CHAPTER 6 – Violations, Penalties And Expulsions, Section 6.02(h)**
- **CHAPTER 15 - Claiming Races, Section 15.09(a)**

The Directive may be viewed on the AGCO website at [www.agco.ca](http://www.agco.ca).

**CORRECTION** | Printed copies of the Rule books issued in April 2016 contain an error with regard to **CHAPTER 16 – ADDED MONEY EVENTS, Section 16.18**. The rule has not changed and should read as follows:

“Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. **Payments made by electronic transaction to a third-party providing a staking service must be processed and the sponsor notified, not later than the hour of closing.** In the event the hour of closing falls on a Saturday, Sunday, or legal holiday, the hour of closing shall be extended to the same hour of the next business day. The hour of closing shall be midnight of the due date.”

## New Isolation Protocol for Infectious Disease in Thoroughbreds

The AGCO is working with vets, The Horsemen's Benevolent and Protective Association of Ontario (HBPA), Woodbine Racetrack and Fort Erie Race Track to develop a new protocol for horses showing acute neurological signs with or without a current fever, wherein any such horses will be sent to isolation, and samples will be collected and sent for real time Polymerase Chain Reaction (PCR) testing for EHV-1. If an owner/trainer wishes to remove the horse from the association grounds instead of isolating the horse (understanding that this may affect the eligibility of other horses stabled at that farm to race), a nasal or nasopharyngeal swab will be collected and tested. Additionally participants shall notify track and commission officials about any horses diagnosed with acute neurological signs.

Furthermore, notwithstanding any other heightened biosecurity measures, all horses stabled in the affected horse's barn should have their temperatures taken at least twice daily at least until the affected horse's test comes back. With respect to a horse showing clinical signs consistent with "Strangles", vets will use their professional judgement as to when to isolate the horse and inform the officials.

The AGCO recognises the importance of containing infectious disease in all breeds and regions so, with a flexible and collaborative approach it is hoped that we can help facilitate this type of agreement with other tracks, breeds and regions to reduce the probability of a severe infectious disease outbreak in our industry.

For more information, please contact Dr. Adam Chambers at [adam.chambers@agco.ca](mailto:adam.chambers@agco.ca).

## Luck of the Draw

This spring, Standardbred Canada asked the AGCO's Technical and Laboratory Services Branch to conduct an audit in order to verify and validate the integrity of their custom automated draw software, which is used by individual racing sites to randomly assign post positions for horses participating in races.

Why the AGCO? An important factor in Ontario's public confidence in gaming is the integrity and fairness of the games and gaming systems in play. The AGCO, through its Technical and Laboratory Services Branch (aka. The "Gaming Lab"), is responsible for ensuring the integrity, security, fairness and audit capability of all electronic gaming hardware, software, associated equipment and gaming systems. The AGCO lab is accredited as a testing lab by a third party - the International Organization for Standardization (ISO), an independent, non-governmental international organization.

The AGCO's Gaming Lab staff are highly qualified and experienced experts who regularly provide expert technical assessments, services and approvals to support the regulation of gaming. They conduct assessments of various gaming systems, such as the impact of game designs on player fairness and responsible gambling. They also perform complex assessment and testing of Random Number Generators (RNGs) to verify the randomness of both physical (i.e. hardware) and virtual (i.e. software) RNGs used to determine game outcomes and which are central to game integrity.

The AGCO review of Standardbred Canada's system for assigning post positions found that the data provided demonstrated no randomness concerns, as each horse was placed in each of the post positions with fair probabilities and, that horse names, connections and all other additional factors are not relevant in post position draws.

In other words, a horse's post position is truly, the luck of the draw.

You can read more about this inspection on the Standardbred Canada website at [www.standardbredcanada.ca](http://www.standardbredcanada.ca).



Photo courtesy of Dave Landry

# Workplace Harassment

## IT'S TIME TO TALK ABOUT IT

Workplace harassment\* can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers, in a workplace. It can also include behaviour that intimidates, isolates or even discriminates against the targeted individual(s).

This may include making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend; displaying or circulating offensive pictures or materials in print or electronic form; bullying; repeated offensive or intimidating phone calls or e-mails; or workplace sexual harassment.

\*Source: <https://www.labour.gov.on.ca/english/hs/pubs/wpvh/concepts.php#sh>

Sexual harassment\*\* is a type of discrimination based on sex. When someone is sexually harassed in the workplace, it can undermine their sense of personal dignity. It can prevent them from earning a living, doing their job effectively, or reaching their full potential. Sexual harassment can also poison the environment for everyone else. If left unchecked, sexual harassment in the workplace has the potential to escalate to violent behaviour.

Employers that do not take steps to prevent sexual harassment can face major costs in decreased productivity, low morale, increased absenteeism and health care costs, and potential legal expenses. Employers operating in Ontario have a legal duty to take steps to prevent and respond to sexual harassment. They must make sure they have poison-free environments that respect human rights. From a human rights perspective, it is not acceptable to ignore sexual harassment, whether or not someone has formally complained or made a human rights complaint.

\*\*Source: <http://www.ohrc.on.ca/en/sexual-harassment-employment-fact-sheet>

## WORKPLACE SEXUAL HARASSMENT MAY INCLUDE:\*\*\*

- asking questions, talking, or writing about sexual activities;
- rough or vulgar humour or language related to sexuality, sexual orientation or gender;

- displaying or circulating pornography, sexual images, or offensive sexual jokes in print or electronic form;
- leering or inappropriate staring;
- invading personal space;
- unnecessary physical contact, including inappropriate touching;
- demanding hugs, dates, or sexual favours;
- making gender-related comments about someone's physical characteristics, mannerisms, or conformity to sex-role stereotypes;
- verbally abusing, threatening or taunting someone based on gender or sexual orientation; or,
- threatening to penalize or otherwise punish a worker if they refuse a sexual advance.

Where the conduct or behaviour includes inappropriate sexual touching, this may also constitute a criminal offence such as sexual assault. In such cases, the police should be notified.

\*\*\* Source: <https://www.labour.gov.on.ca/english/hs/pubs/wpvh/concepts.php#sh>

## HELPFUL RESOURCES

### Assaulted Women's Helpline

1 866 863-0511 | 1 866 863-7868 (TTY)  
416 863-0511 (Toronto)

### Crime Stoppers

Share information while remaining anonymous.  
1 800 222-TIPS (8477)

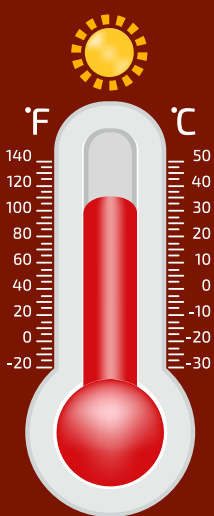
**Support Services for Male Survivors of Sexual Abuse** provides help for male survivors of sexual abuse, both recent and historical. 1 866 887-0015 is a 24-hour, multilingual, toll free phone line for immediate crisis and referral to local services.

### Ontario Human Rights Commission

<http://www.ohrc.on.ca>

### Sexual Assault Centres in Ontario

[www.draw-the-line.ca/gethelp](http://www.draw-the-line.ca/gethelp)



## IMPORTANT REMINDER TO INDUSTRY RE: HOT WEATHER CONSIDERATIONS

As noted in Information Bulletin No. 9 – July 4, 2016, the protection of the health and welfare of the horse is of paramount concern to the AGCO. The Regulator would like to remind horsepeople, racing officials, track management and the Official Veterinarians to share information and be on the alert for any hot weather effects on horses, to be mindful of the established policy of allowing a trainer to scratch their animal should the trainer be concerned about the particular condition of the animal due to weather and to remind tracks of the need to maintain adequate water facilities.

## DID YOU KNOW?

According to the Ontario Horse Racing Industry Survey conducted in late fall of 2016 by Equine Guelph:

- The top three health issues of concern to the racehorse industry were reported as respiratory issues, injuries and gut issues.
- Sickness was reported as the most common reason for horses performing poorly in races, followed by lameness/soundness and track surface/condition.
- Less than half of respondents reported having training on emergency protocols and only half reported training in fire safety and prevention in the stable.
- Nearly three-quarters of respondents agreed that the industry would benefit from education and/or training opportunities for grooms and agreed that opportunities for trainers would also benefit the industry.

For more information, contact <http://www.equineguelph.ca>.

# Race Line

This newsletter is published by the **Alcohol and Gaming Commission of Ontario** to provide licensees and interested parties with information regarding horse racing legislation and related issues. Reader comments and content suggestions are welcome.

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