

TILLSONBURG RINGETTE ASSOCIATION

Complaint and Discipline Policy



Definitions

1. The following terms have these meanings in this Policy:

a) “Complainant” – The Party alleging an infraction

b) “Respondent” – The alleged infracting Party

c) “Parties” – The Complainant, Respondent, and any other Individuals, persons, or organizations affected by the complaint

d) “Days” – Days including weekend and holidays

e) “Individuals” – All categories of membership defined in the Tillsonburg Ringette Association Bylaws, as well as all individuals employed by, or engaged in activities with, Tillsonburg Ringette Association including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, directors and officers of Tillsonburg Ringette Association

Purpose

2. Tillsonburg Ringette Association is committed to providing an environment in which all Individuals involved with Tillsonburg Ringette Association are treated with respect. Membership in Tillsonburg Ringette Association, as well as participation in its activities, brings many benefits and privileges. At the same time, Individuals and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Tillsonburg Ringette Association policies, bylaws, rules and regulations, and Code of Conduct and Ethics. Irresponsible behaviour by Individuals can result in severe damage to the integrity of Tillsonburg Ringette Association. Conduct that violates these values may be subject to sanctions pursuant to this Policy. Since discipline may be applied, Tillsonburg Ringette Association provides Individuals with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.

Application of this Policy

3. This Policy applies to all Individuals.

4. This Policy applies to discipline matters that may arise during Tillsonburg Ringette Association business, activities, and events including, but not limited to, games, practices, training camps, travel associated with Tillsonburg Ringette Association activities, and any meetings.

5. This Policy does not prevent discipline from being applied, during a game or event, according to specific procedures in place for the event. Further discipline may be applied according to this Policy.

6. Discipline matters and complaints arising within the business, activities, or events organized by entities other than Tillsonburg Ringette Association will be dealt with pursuant to the policies of these other entities unless accepted by Tillsonburg Ringette Association at its sole discretion.

Reporting a Complaint

7. Any Individual may report any complaint to the Tillsonburg Ringette Association. Such a complaint must be in writing and signed and must be filed within five (5) days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of Tillsonburg Ringette Association.

8. A Complainant wishing to file a complaint outside of the five (5) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the five (5) day period will be at the sole discretion of Tillsonburg Ringette Association. This decision may not be appealed.

Mediation

9. Before any complaint proceeds to the formal stage, the dispute will first be referred to Tillsonburg Ringette Association's Executive President (or designate) for review, with the objective of resolving the dispute via Tillsonburg Ringette Association Dispute Resolution Policy.

Minor Infractions

10. Minor infractions are single incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, Tillsonburg Ringette Association, or the sport of ringette. Examples of minor infractions can include, but are not limited to, a single incident of:

- a) Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
- b) Disrespectful conduct such as outbursts of anger or argument
- c) Conduct contrary to the values of Tillsonburg Ringette Association
- d) Non-compliance with Tillsonburg Ringette Association policies, procedures, rules, or regulations
- e) Minor violations of Tillsonburg Ringette Association Code of Conduct and Ethics
- f) Tampering

11. All disciplinary situations involving minor infractions will be dealt with by the appropriate person who has authority over both the situation and the individual involved. If applicable, discipline specific to the event or competition shall be applied. The person in authority can be, but is not restricted to being, staff, officials, coaches, judges, organizers, or Tillsonburg Ringette Association Executive Members.

12. Provided that the Respondent being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).

13. Penalties for minor infractions, which may be applied singularly or in combination, include the following:

- a) Verbal or written reprimand from Tillsonburg Ringette Association to one of the Parties
- b) Verbal or written apology from one Party to the other Party
- c) Removal of certain privileges of membership for a designated period
- d) Suspension from the current game, activity, or event
- f) Any other sanction considered appropriate for the offense
- g) Discipline specific to the event or game, if applicable

14. Minor infractions that result in discipline will be recorded and records will be maintained by Tillsonburg Ringette Association. Repeat minor infractions may result in further such incidents being considered a major infraction.

Major Infractions

15. Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to Tillsonburg Ringette Association, or to the sport of ringette. Examples of major infractions include, but are not limited to:

- a) Repeated minor infractions
- b) Any incident of hazing
- c) Incidents of physical abuse
- d) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- e) Pranks, jokes, or other activities that endanger the safety of others
- f) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- g) Conduct that intentionally damages Tillsonburg Ringette Association image, credibility, or reputation
- h) Disregard for Tillsonburg Ringette Association bylaws, policies, rules, and regulations
- i) Major or repeated violations of Tillsonburg Ringette Association Code of Conduct and Ethics
- j) Intentionally damaging Tillsonburg Ringette Association property or improperly handling Tillsonburg Ringette Association monies
- k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- l) Any possession or use of banned performance enhancing drugs or methods

16. Major infractions occurring within the organization may be dealt with immediately, if necessary, by an appropriate person having authority. In such situations, disciplinary sanctions will be for the duration of the tournament, game, training, activity, or event only. If applicable, discipline specific to the event shall be applied. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy. This review does not replace the appeal provisions of this Policy.

17. Major infractions will be handled using the Procedure for Major Infraction Hearing set out in this Policy, except where a dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement takes precedence.

Procedure for Player Major Infraction Hearing

18. The Tillsonburg Ringette Association Executive President (or designate) shall notify the Parties that the complaint is potentially legitimate, and the incident shall be dealt with as a major infraction. The President (or designate) shall then decide the format under which the complaint will be heard. This decision is at the sole discretion of the President (or designate) and may not be appealed.

19. The President will appoint a Discipline Panel, which shall consist of the President, Coach Director, Referee in Chief and Secretary to hear the complaint.

20. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may still hold a hearing for determining an appropriate sanction.

21. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

22. The President (or designate) will determine the format of the hearing, which may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the President (or designate) deems appropriate in the circumstances, provided that:

- a) The Parties will be given appropriate notice of the day, time, and place of the hearing
- b) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- c) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- d) The Panel may request that any other individual participate and give evidence at the hearing
- e) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint
- f) The decision will be by a majority vote of Panel members

23. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal, that party will become a Party to the complaint in question and will be bound by the decision.

24. In fulfilling its duties, the Panel may obtain independent advice.

Decision

25. After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within five (5) days of the hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties and Tillsonburg Ringette Association Executive. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the five (5) day period. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Sanctions

26. The Panel may apply the following disciplinary sanctions, singularly or in combination, for major infractions:

- a) Verbal or written reprimand from Tillsonburg Ringette Association to one of the Parties
- b) Verbal or written apology from one Party to the other Party
- c) Expulsion from Tillsonburg Ringette Association
- d) Removal of certain membership privileges
- e) Suspension from certain Tillsonburg Ringette Association teams, events, and/or activities
- f) Suspension from all Tillsonburg Ringette Association activities for a designated period
- g) Payment of the cost of repairs for property damage
- h) Any other sanction considered appropriate for the offense

27. Unless the Panel decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension until compliance occurs.

28. Major infractions that result in discipline will be recorded and records will be maintained by Tillsonburg Ringette Association

Suspension Pending a Hearing

29. Tillsonburg Ringette Association may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending the completion of a criminal process, a hearing and/or a decision of the Panel.

Criminal Convictions

30. An Individual's conviction for any of the following offenses will be deemed a major infraction under this Policy and will result in expulsion from Tillsonburg Ringette Association and/or removal from Tillsonburg Ringette Association games, programs, activities and events upon the sole discretion of Tillsonburg Ringette Association:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical or psychological violence
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

Confidentiality

31. The discipline and complaint process will remain confidential and involves only the Parties, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

Timelines

32. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Panel may direct that these timelines be revised.

Records and Distribution of Decisions

33. Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by Tillsonburg Ringette Association

34. Tillsonburg Ringette Association and the ORA and organizations within may be advised of any decisions and, if there was an appeal, the appeal decision.

35. Decisions and appeals are matters of public interest and shall be publicly available with the names of the individuals redacted. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed. Pursuant to Tillsonburg Ringette Association Confidentiality Policy, the Panel may determine that disclosing the person's identity would unduly violate the person's privacy and may decide that the decision, or part of the decision, shall be kept confidential.

This Policy is subject to review at least once every three years

Date of last review: May 2018