



## **ABA Complaint & Discipline Policy**

### **Definitions**

These terms will have these meanings in this Policy:

“Member in Good Standing” -

To be recognized as a Member in Good Standing with the ABA, an organization must complete their registration with the Association as well as agree to abide by the Bylaws, policies, procedures, rules and regulations of the Association prior to commencing with the organization's first organized on-court activities.

A member of the Association shall be considered “in good standing” provided that the individual or organization:

- a) Is not under investigation for conduct unbecoming or other violation of the Association’s bylaws, codes of conduct, rules, regulations, policies and procedures; or
- b) Has not been suspended or expelled as a member of the Association.

### **Complaint Resolution and Grievance Committee Process**

#### **1.1 Responsibility**

1.1.1 The ABA uses a progressive discipline process that may progress as follows:

- Warning to a Coach, Player, Parent or Spectator
- Ejection and suspension of a Coach, Player, Parent or Spectator
- Extended suspension of a Coach, Player, Parent or Spectator
- Indefinite suspension of a Coach, Player, Parent or Spectator

1.1.2 Any complaint must first be submitted in writing to the appropriate individuals, leagues, or event organizers. Incidents shall be handled by local administrations in matters of local concern.

1.1.3 If not satisfied with the outcome of the complaint, then please submit the complaint in writing to the Executive Director of ABA.

#### **1.2 Procedure**

1.2.1 If required, any step(s) in the discipline process may be bypassed or eliminated in applying disciplinary action.

1.2.2 Complaints must be submitted in writing to the (Executive Director of) the ABA outlining the pertinent facts with associated time(s), date(s) and involved parties.

1.2.3 The ABA Discipline Committee shall review and investigate the details contained in the written complaint to corroborate the basic content contained therein. After acceptance of the written complaint, and in consultation with the ABA Discipline Committee, further information may be requested, and/or one of the following will occur in writing:

- a) A response to the complainant, stating that the details of the complaint could not be confirmed, and no further action will be taken.
- b) A response to the complainant, with the results of the investigation including any action taken by the ABA relative to the submission.
- c) A response to the complainant, that the initial review of the complaint conducted by the ABA Discipline Committee has been sent to further review by a grievance committee.

### **1.3 ABA Discipline Committee**

1.3.1 In the case of all disciplinary infractions, the ABA Commissioner or the ABA Discipline Committee, or person(s) designated by them, shall assume responsibility for determining necessary additional penalties, enforcing penalties and for any other disciplinary actions.

1.3.2 Shall consist of a minimum of one (1) member of the ABA Staff, a minimum of one (1) member of the ABA Board of Directors, a minimum of one (1) ABA member in good standing, as determined by the ABA Board of Directors.

1.3.3 In the event that a corroborated complaint is brought by, or against, a serving member of the ABA Executive, Board of Directors, Staff, a minimum of three (3) ABA members in good standing will be appointed by the Executive to serve in place.

1.3.4 The committee shall review written submissions, gather information, and/or testimony from the appropriate parties. The committee shall rule on the grievance and make a recommendation to the Executive detailing the findings of the committee, including any action to be taken.

1.3.5 The ABA Discipline Committee shall notify the complainant in writing, with a copy to the Executive, of the findings within seven (7) days of the decision.

1.3.6 The complainant may appeal the ruling to the Appeals Committee. To appeal the decision made there will be a **\$100 CDN** non-refundable fee.

### **1.4 Appeals Committee**

1.4.1 Depending on the severity, frequency and circumstances related to the infraction, a sequence of progressive discipline may be used at the discretion of the ABA Commissioner or the ABA Discipline Committee.

1.4.2 The Appeals Committee shall consist of three ABA members in good standing appointed by the ABA Board of Directors. The committee members may not be members of the Executive, nor the ABA Discipline Committee or staff of the Association that participated in the initial review.

1.4.3 The committee shall gather and review all written grievances, information and/or testimony from the appropriate parties. The committee shall rule on the appeal and make the decision known to the ABA Board of Directors.

1.4.4 The Appeals Committee shall notify the complainant in writing, with a copy to the ABA Board of Directors, of the results of the appeal within seven (7) days of the decision.

1.4.5 The decision of the Appeals Committee is final.

### **1.5 Reporting Process**

1.5.1 Discipline may be dealt with by the ABA Commissioner and in some instances as set out by the Discipline sections the ABA Discipline Committee

1.5.2 Incident report - major incidents injury/discipline

## **1.6 The ABA Commissioner**

1.6.1 The ABA Commissioner is a volunteer who is appointed by, and may be removed by, a majority vote of the ABA Executive/ABA Board. The position has no fixed term. The function of the ABA Commissioner is to properly deal with matters of discipline, or appeals, referred to them by the President, Vice-President, Executive Director or General Manager or other ABA officials as required.

1.6.2 In the case of minor offenses, and within 48 hours of being notified, if the ABA Commissioner is of the opinion that the conduct is deserving of sanction the ABA Commissioner will:

- Issue a warning; or
- Impose a suspension of not more than one (1) game.

**1.7** A decision by the ABA Commissioner to issue a warning is final and not subject to appeal. Any conduct where a warning was issued that is repeated will result in a minimum one (1) game suspension and a referral to the ABA Discipline Committee.

**1.8** A decision by the ABA Commissioner to impose a suspension may be appealed to the ABA Discipline Committee.

**1.9** In considering an appeal the ABA Discipline Committee shall have the authority to uphold, increase or rescind the suspension.

### **Board Approval and Review –**

- Policy reviewed by the ABA Staff in May 2023
- Policy approved by the ABA Board of Directors on June 7, 2023
- Policy will be reviewed again by June 2024