



FORT SASKATCHEWAN RINGETTE ASSOCIATION

TITLE: APPEALS

POLICY #: 1330

Created: May 21, 2018	Last updated: June 13, 2018	Approved: December 18, 2018
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Ver no.	Effective Date	Significant Changes

1.0 Purpose

To outline the rules relating to the process of challenging the decisions made by the Fort Saskatchewan Ringette Association (FSRA).

2.0 Scope

This policy applies to any paid employee, member and participant who has been affected by a decision made by the FSRA Executive Board. Specifically, decisions relating to conflict of interest, eligibility, player selection, discipline, membership, or any other matter deemed appropriate by the FSRA Executive Board.

This policy does not apply to decisions made by a group external to the FSRA (Zone 5, Ringette Alberta, etc.), matters of employment, commercial matters, matters of budget or budget implementation, infractions involving doping offenses, the rule of ringette, matters relating to the substance or content of the FSRA Policies and Procedures, disputes arising in competitions with their own appeal policies, and any decisions made under this policy.

3.0 Terms

Appeal – An official request made in writing to the FSRA Executive Board to re-examine one of its decisions. The appeal must contain detailed reasons for the appeal, the appellant’s contact information, the name of the respondent, any evidence that supports the reasons, the remedy requested, and a \$250 appeal fee made payable to the FSRA.

Appellant – An individual who has been affected by a decision made by the FSRA Executive Board and has sent in an official appeal request.

Respondent – The paid employee, member, participant, or official of the FSRA who has made the decision that the Appellant would like appealed.



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Appeals Officer – A neutral FSRA representative who has been assigned to investigate the appeal. His or her duties include:

- Determining if the appeal falls under the jurisdiction of this policy;
- Determining if the appeal was brought forward in a timely manner;
- Determining if the appeal was brought on permissible grounds;
- Appointing a panel to hear the appeal;
- Determining the format of the appeal process;
- Coordinating the administrative and procedural aspects of the appeal;
- Providing any required administrative assistance or logistical support to the panel; and
- Providing any other required support.

4.0 Policy

4.1 Individuals who wish to request an appeal on one of the FSRA's decisions must do so within fourteen business days of learning of the decision in question.

4.2 Decisions can only be appealed on the following grounds:

- The Respondent did not have the authority to make the decision;
- The Respondent failed to follow appropriate procedures;
- The Respondent was influenced by bias;
- The Respondent failed to consider relevant information in the decision-making process, or
- The Respondent made a decision contrary to his or her own Policies and Procedures.
- The Appellant must be able to prove these grounds beyond a reasonable doubt.

4.3 After receiving the Appeal, the Appeals Officer, as assigned by the FSRA Executive Board, must first determine if the Appeal falls within this policy's jurisdiction, or if there are enough grounds to begin the Appeal process. If the answer to either question is no, the Appeals Officer will inform the affected parties in writing and state the reasons why. This decision cannot be appealed.

4.4 If the Appeal is within the FSRA's jurisdiction, and there are sufficient grounds to proceed, the Appeals Officer may, with the consent of the parties, seek to resolve the appeal through mediation using the services of an independent mediator at the appellant's expense. If this is not an option, the appeal will be heard by a panel consisting of three non-biased individuals from the FSRA appointed by the Appeals Officer.



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4.5 Hearings in front of a panel may be in person, by phone, by web conference, by written submission, or any combination of the above. The format of the hearing will be determined by the Appeals Officer and panel provided that:

- The time and place of the hearing is given to all parties in advance;
- Copies of documents the parties wish the panel to examine are given to all parties in advance;
- Parties may bring their own legal counsel at their own expense;
- The panel can request any other individual to participate and give evidence; and
- If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this policy, that party will become a party to the appeal in question and will be bound by its outcome.

4.6 After the hearing, the panel must send the written decision to all concerned parties. The panel may decide to:

- Reject the appeal and keep the decision as is;
- Uphold the Appeal, make note of any errors and notify the parties involved in the original decision; or
- Uphold the Appeal but vary the decision.
- The final decision is binding.

4.7 The panel's decision will be a matter of public record. A written copy of the decision with specified reasons will be distributed to all involved parties and the FSRA Executive Board. If time is of the essence, the panel may give a verbal summary of the decision over the phone with the written copy of the decision to be distributed later.

4.8 The appeal process is confidential, concerning only the affected parties, the Appeals Officer, and the panel. Once the process is initiated, and until a written decision has been released, none of the involved parties will disclose confidential information relating to the appeal to any person not involved in the proceedings.

4.9 If the Appellant is successful in his or her appeal, the \$250 appeal fee will be reimbursed. Otherwise the appeal fee is non-refundable.