

Newfoundland and Labrador Soccer Association



Discipline Code and Complaints Policy

March 2026

1 Purpose

1.1 Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, Bylaws, rules and regulations of the Newfoundland and Labrador Soccer Association (NLSA) and its Members (as applicable). Non-compliance may result in the imposition of sanctions pursuant to this Policy.

2 Application of this Policy

2.1 This Policy applies to all Individuals.

2.2 This Policy applies to matters that may arise during the business, activities, and events of the NLSA and its Members (as applicable) including, but not limited to, competitions, practices and training, treatment or consultations (e.g., massage therapy), camps and clinics, travel associated with the activities of the NLSA or a Member, events hosted by the NLSA and its members, the office environment and any meetings.

2.3 This Policy also applies to Individuals' conduct outside of the business, activities, and events of the NLSA and its Members (as applicable) when such conduct adversely affects the relationships of the NLSA and/or a Member (and the work and sport environment) or is detrimental to the image and reputation of the NLSA or a Member. Accordingly, applicability of this Policy will be determined by the Independent Third Party, who may consult with the NLSA or a Member in making this determination.

2.4 This Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who are no longer active in the sport where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport.

2.5 In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

2.6 Applicability of this Policy will be determined by the Independent Third Party at its sole discretion and shall not be subject to appeal.

2.7 In the event that it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a sanction or provisional measure may be applied, after which further discipline or sanctions may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the NLSA Competition Discipline Regulations, if applicable. In such situations, disciplinary sanctions may be for the duration of the competition, training,

activity, or event only.

2.8 In addition to being subject to disciplinary action pursuant to this *Discipline and Complaints Policy*, an employee of the NLSA or a Member who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's Employment Agreement or policies for human resources, if applicable.

2.9 The NLSA acknowledges that violations of its Codes and applicable policies may occur within the NLSA Competition Environment, which includes any location or setting in which a sanctioned NLSA competition occurs and covers the period from when players, volunteers, staff, or officials enter the facility or venue until they leave. Specifically, the Competition Environment includes all areas under the control of the host organization for the duration of the competition, including but not limited to the field of play, technical areas, team benches, dressing rooms, spectator areas, parking areas, and surrounding facility grounds. Depending on the nature and circumstances of the alleged breach, it may be appropriate for the matter to be addressed through the NLSA's Competition Discipline Regulations.

3 Minors

3.1 Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.

3.2 Communication from the Case Manager, Discipline Chair or Discipline Panel (as applicable) must be directed to the Minor's representative.

3.3 A Minor is not required to attend an oral hearing, if held.

3.4 A Discipline Panel may take reasonable measures to support a minor's participation in a disciplinary process.

4 Reporting a Complaint

4.1 Any person may report a complaint to the NLSA, a Member, or to the Independent Third Party:
ITP Sport: <https://app.integritycounts.ca/org/itpsport>

4.2 When a complaint is reported to the NLSA or a Member, the NLSA or Member will report the complaint to the Independent Third Party and will have no involvement in the matter unless required by the Discipline process with exception of the following:

4.2(a) Any matter arising within sanctioned NLSA competition, including the period from when players, volunteers, staff, or officials enter the facility or venue until they leave, that

is determined by either the ITP or the NLSA to meet the criteria set out in Section 6.5 and 6.6 of this Policy may be addressed by the NLSA through its own procedures. In such circumstances, where the matter is reported directly to the NLSA, the NLSA is not required to forward the complaint to the Independent Third Party if section 2.9, above, is engaged. In making this decision, the NLSA must formally notify the complainant that section 2.9 is engaged.

4.2(b) Notwithstanding the above, prior to the commencement of a discipline proceeding under the NLSA Competition Discipline Regulations, the Complainant may request that the matter be referred to the Independent Third Party for assessment under this Discipline and Complaint Policy. Upon such request, the Independent Third Party shall assess the complaint to determine whether it falls within the jurisdiction of this Discipline and Complaint Policy.

4.2(c) At the discretion of the NLSA or a Member (as applicable), the NLSA or a Member may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the NLSA will identify an individual to represent the NLSA or a Member.

4.2(d) Complaints or incident reports should be made in writing and the person making the complaint may contact the Independent Third Party for direction. The Independent Third Party may accept any report, in writing or not, at their sole discretion.

5 Sport Integrity Canada (SIC) Participants

5.1 Incidents that involve alleged Maltreatment or Prohibited Behaviour involving a SIC Participant must be reported to SIC and will be addressed pursuant to the SIC policies and procedures.

5.2 SIC shall determine the admissibility of such complaints in accordance with the relevant and applicable SIC Guidelines regarding the initial review and preliminary assessment, at their sole discretion.

5.3 If the Independent Third Party receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the SIC and notify the Individual(s) that made the complaint of such action within seven days of referring the matter to the SIC.

6 Independent Third Party Responsibilities

6.1 Upon receipt of a complaint from an Individual (or Individuals), the Independent Third Party shall determine whether the complaint should be handled by the Independent Third Party for Sport NL, or the NLSA.

6.2 The Independent Third Party shall make this determination by taking into consideration whether the incident has occurred within the business, activities or events of the NLSA or of a Member, or if

Section 2.3 and 2.4 of this Policy may be applied.

6.3 Notwithstanding the above, the Independent Third Party may direct a complaint to be managed by the NLSA if the Member is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity.

6.4 Complaints alleging maltreatment, including alleged violations of the UCCMS by an individual or member NLSA, will be addressed by this Discipline and Complaint policy.

6.5 However, at the discretion of the Independent Third Party, a complaint alleging maltreatment may be excluded from this Discipline and Complaint process and instead addressed through NLSA Competition Discipline Regulations where one or more of the following factors are present:

- (a) The matter involves a single-incident behaviour;
- (b) The alleged behaviour occurred within the field of play and did not extend beyond it;
- (c) The alleged conduct occurred between individuals of relatively similar power balance;
- (d) The incident did not result in an impact on continued participation for any party (excluding any provisional measures imposed).
- (e) The Independent Third Party determines section Section 2.9 is engaged

6.6 At the discretion of the ITP Officer, a complaint alleging a Code of Conduct violation that meets the criteria in Process 1 or Process 2 may be excluded from this Discipline and Complaint process and instead addressed by the NLSA Competition Discipline Regulations should the incident have occurred in competition, including the period from when players, volunteers, staff, or officials enter the facility or venue until they leave

6.7 A determination made by the Independent Third Party to decline or exclude a complaint pursuant to Section 6.5 or 6.6 is not subject to appeal.

6.8 The Independent Third Party may determine that the alleged incident may require investigation. In this case, the Independent Third Party may appoint an Investigator who will investigate the complaint.

6.9 Upon receipt of a complaint, the Independent Third Party has a responsibility to:

- (a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy;
- (b) Determine the appropriate jurisdiction to manage the complaint;¹
- (c) Propose the use of alternate dispute resolution techniques;
- (d) Determine that the alleged incident may require an investigation. The **Case Manager** may appoint an Investigator to investigate the complaint; and/or

¹ This excludes the decision by the NLSA or Member under Process #1 to determine if the NLSA or Member will address the complaint.

(e) Choose which process should be followed, and may use the following examples as a general guideline:

(A) **Process #1** - the Complaint alleges the following incidents:

- (1) Disrespectful conduct
- (2) Minor incidents of violence (e.g., tripping, pushing, elbowing)
- (3) Conduct contrary to the values of the NLSA or a Member
- (4) Non-compliance with the NLSA's policies, procedures, rules, or regulations
- (5) Minor violations of the Code of Conduct and Ethics
- (6) Pranks, jokes, or other activities that cause harm to others
- (7) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- (8) Consistent disregard for the bylaws, policies, rules, and regulations
- (9) Major or repeated violations of the Code of Conduct and Ethics
- (10) Any possession or use of banned performance enhancing drugs or methods that is not addressed by SIC or designated anti-doping agency.
- (11) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- (12) Intentionally damaging the NLSA's property or improperly handling the NLSA's monies.

(B) **Process #2** - the Complaint alleges the following incidents:

- (1) Prohibited Behaviour as defined by the UCCMS
- (2) Any incident of hazing
- (3) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- (4) Major incidents of violence (e.g., fighting, attacking, sucker punching)
- (5) A conviction for any Criminal Code offense as it relates to Maltreatment and/or Prohibited Behaviour

6.10 If an NLSA due to a conflict of interest, capacity concern or other valid and justifiable reason cannot address a Process #1 complaint, they may refer the matter to the Independent Third Party for Sport NL. The decision to accept or deny the referral is at the discretion of Sport NL.

6.11 If the Independent Third Party determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.

6.12 The Independent Third Party's decision to accept or dismiss the complaint may not be appealed.

6.13 Process #1: Handled by Complaint Resolution Officer

Following the determination that the complaint or incident should be handled under Process #1, the NLSA shall determine whether the complaint should be handled by the NLSA or by a Member.²

6.14 The NLSA or appointed Case Manager shall make this determination by taking into consideration whether the incident has occurred within the business, activities or events of the NLSA of a Member.

6.15 Notwithstanding the above, the NLSA may direct a complaint to be managed by the NLSA if the Member is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity.

6.16 If the NLSA determines that the complaint or incident should be handled by a Member, that Member shall appoint its own Complaint Resolution Officer to fulfil the responsibilities listed below. In such instances, any reference to the Complaint Resolution Officer below shall be understood as a reference to the Member's Complaint Resolution Officer.

6.17 The Complaint Resolution Officer must be an independent individual, established solely for the purpose of adjudicating the infractions brought before it pursuant to this Policy. At the NLSA's discretion, an external individual with the necessary expertise may be appointed to fulfill this role.

6.18 Once the complaint is accepted, the Complaint Resolution Officer will:

- (a) Provide the complaint to the respondent.
- (b) The Complaint Resolution Officer will take all possible steps to address the dispute through Alternative Dispute Resolution, including Mediation.
- (c) If unsuccessful in resolving the matter through Alternative Dispute Resolution, the Complaint Resolution Officer will decide on the format under which the complaint will be heard. The format may be a documentary hearing (summary proceeding) or oral hearing.
- (d) The decision on the format of hearing by the Complaint Resolution Officer is not subject to appeal.
- (e) Within 10 days of the Appointment of the Complaint Resolution Officer the Complainant will provide a brief to both the Complaint Resolution Officer and the Respondent. The written brief shall be a maximum of 5 pages setting out the Complainants position on the issues raised in the complaint.

² The NLSA may appoint a Case Manager who will determine whether the complaint should be handled by the NLSA or by a Member, and administer Process #1.

(f) The documents the Complainant considers relevant or wishes to rely on will be a maximum of 10 documents and 200 pages.

(g) For clarity, a series of connected documents such as a series of emails or a series of letters may be considered one document.

(h) Within 15 business days of receipt of the Complainant's brief, the Respondent will provide to both the Complaint Resolution Officer and the Complainant a written brief. The written brief will be a maximum 5 pages in length which sets out the Respondent's position on the issues contained in the complaint.

(i) Any documentary evidence that the Respondent wishes to rely on will be a maximum of 10 documents and 200 pages.

- For clarity, a series of connected documents such as a series of emails or a series of letters may be considered one document.

(j) Both Parties shall also have the right to submit to the Complaint Resolution Officer any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos, or other recordings)

(k) Within 15 business days of receipt of the Respondent's response the Complainant may submit to both the Complaint Resolution Officer and the Respondent a reply statement. The maximum length of the reply statement is 5 pages.

(l) No further documents may be submitted.

(m) For cases requiring an oral hearing, the Complaint Resolution Officer will ask the Complainant and the Respondent for oral submissions in addition to written submissions regarding the complaint or incident.

(n) In the case of oral submissions, each Party shall be present when such submissions are made (unless waived by a Party); and/or:

(o) Following receipt of the Parties' submissions, the Complaint Resolution Officer may convene the Parties to a meeting, either in person or by way of video or teleconference to ask the Parties questions and to allow the Parties to ask questions of one another.

6.19 Following their review of the submissions and evidence related to the complaint, the Complaint Resolution Officer shall determine if any of the incidents alleged above have occurred and, if so, determine whether to impose a sanction and, if so, determine the appropriate sanction.

6.20 If, after hearing the Parties and reviewing their submissions, the Complaint Resolution Officer considers that none of the incidents alleged above have occurred, they shall dismiss the complaint.

6.21 The Complaint Resolution Officer will inform the Parties of the decision, which shall be in writing and include reasons.

6.22 The Complaint Resolution Officer decision will take effect immediately, unless specified otherwise by the Complaint Resolution Officer.

6.23 Should the circumstances require a decision to be rendered immediately or within a short timeline, the Complaint Resolution Officer may render a short decision, either orally or in writing, followed by a written reasoned decision.

6.24 Any decision rendered by the Complaint Resolution Officer shall be provided to and maintained in the records of the relevant affiliated NLSA, and Member NLSA.

6.25 Records of all sanctions will be maintained by the NLSA and the Member. Members will disclose all decisions to the NLSA, which may disclose such decisions at its discretion.

6.26 Process #2: Handled by the ITP

Following the determination that the complaint or incident should be handled under Process #2, the Independent Third Party for Sport NL Case Manager has a responsibility to:

- (a) Propose the use of alternate dispute resolution techniques
- (b) Appoint the Discipline Panel, if necessary
- (c) Coordinate all administrative aspects and set timelines
- (d) Provide administrative assistance and logistical support to the Discipline Panel as required
- (e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

6.27 The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

6.28 The Case Manager may propose using alternate dispute resolution with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to attempt alternate dispute resolution (such as mediation or a negotiated settlement) the Case Manager will appoint a Discipline Panel, which shall consist of a single Arbitrator, to hear the complaint. At the discretion of the Case Manager, a Discipline Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Discipline Panel's members to serve as the Chair.

6.29 The Case Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be

an oral in- person hearing, an oral hearing by telephone or other communication medium, 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 Case Manager and the Discipline Panel deem appropriate in the circumstances, provided that:

- (a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
- (b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
- (c) The Parties may engage a representative, advisor, or legal counsel at their own expense
- (d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
- (e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
- (f) The decision will be by a majority vote of the Discipline Panel

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

6.31 The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

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

7 Decision

7.1 After hearing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all parties, the Case Manager, to the NLSA and the Member. In extraordinary circumstances, the Discipline 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 fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

8 Sanctions

8.1 The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- (I) Verbal or written reprimand;
- (II) Verbal or written apology;
- (III) Service or other contribution to the NLSA or a Member;
- (IV) Removal of certain privileges;
- (V) Suspension from certain teams, events, and/or activities;
- (VI) Suspension from certain activities for a designated period;
- (VII) Payment of the cost of repairs for property damage;
- (VIII) Suspension of funding from the NLSA or from other sources;
- (IX) Expulsion from the NLSA;
- (X) Any other sanction considered appropriate for the offense.

8.2 Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.

8.3 Records of all decisions will be maintained by the NLSA and the Member (as applicable). Members will submit all records to the NLSA.

9 Appeals

9.1 The decision of the Discipline Panel may be appealed in accordance with the Appeal Policy.

10 Suspension Pending a Hearing

10.1 The NLSA or the Member (as applicable) may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

11 Criminal Convictions

11.1 The NLSA or the Member (as applicable) may determine in its sole discretion that an Individual's conviction for a Criminal Code offense will be deemed an infraction under this Policy and will result in expulsion from the NLSA or the Member (as applicable). Criminal Code offences may include, but are not limited to:

- (I) Any child pornography offences;
- (II) Any sexual offences;
- (III) Any offence of physical violence;
- (IV) Any offence of assault;
- (V) Any offence involving trafficking of illegal drugs.

12 Confidentiality

12.1 The discipline and complaints process is confidential and involves only the NLSA, the applicable Member(s), the parties, the Case Manager, the Discipline Chair, the Discipline Panel, and any independent advisors to the Discipline 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.

12.2 Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or Discipline Panel (as applicable).

13 Timelines

13.1 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 Case Manager may direct that these timelines be revised.

14 Records and Distribution of Decisions

14.1 Other individuals or NLSAs, including, but not limited to, national sport NLSAs, provincial/territorial sport NLSAs, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy at the discretion of Sport NL.

Policy History	
Approved	
Next Review Date	
Revision Approval Dates	