



*Bowls Alberta*



## **Discipline and Complaints Policy**

### **Policy Statement**

The Bowls Alberta 'Association' (**BA**) expects affiliated members and members of the Board of Directors to fulfill certain responsibilities and obligations including, but not limited to, complying with Bowls Alberta's Bylaws, policies, procedures, rules and regulations and specifically its Code of Conduct and Ethics. Irresponsible behavior by BA members can result in severe damage to the integrity of BA.

### **Definitions**

The following terms have these meanings in this Policy:

**BA Member** - All categories of members and most specifically the affiliated members, as defined in the BA Bylaws, as well as all individuals employed by or engaged in activities with BA, including but not limited to, directors, officers, volunteers, coaches, athletes, officials, members, administrators and spectators.

**Minor infractions** - are single incidents of failing to achieve the expected standards of conduct that generally do not result in harm to others, The BA or to the sport of lawn bowls.

Examples of minor infractions include, but are not limited to, a single incident of:

- Un-sportsmanlike conduct;
- Disrespectful comments or behavior directed towards others; or
- Non-compliance with the bylaws, policies, procedures, rules, regulations and directives of Bowls Alberta.

**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 BA or to the sport of lawn bowls.

Examples of major infractions include, but are not limited to:

- Repeated minor infractions;
- Intentionally damaging BA property or improperly handling BA monies;
- Activities or behavior that interferes with a competition or with any member's preparation for a competition;
- Incidents of physical abuse;
- Pranks, jokes or other activities that endanger the safety of others, including hazing;
- Deliberate disregard for the bylaws, policies, rules, regulations and directives of BA;
- Conduct that intentionally damages the image, credibility or reputation of BA;
- Behavior that constitutes harassment, sexual harassment or sexual misconduct; or
- Abusive use of alcohol or legal drugs, any use or possession of alcohol by minors, use or possession of illicit drugs and narcotics, or use or possession of banned performance enhancing drugs or methods.

## **1. Application of this Policy**

- a. This Policy applies to all BA members as defined in the definitions.
- b. This Policy only applies to discipline matters that may arise during the course of BA business, activities and events, including but not limited to, competitions, practices, training camps, travel associated with BA activities, and any meetings.
- c. Discipline matters and complaints arising within the business, activities or events organized by entities other than the BA, including its member clubs, will be dealt with pursuant to the policies of these other entities unless accepted by BA at its sole discretion or such discipline matters and complaints adversely affect relationships within BA's work and sport environment and is detrimental to the image and reputation of the BA.

## **2. Reporting a Complaint**

- a. Any BA member may report to the BA office, any complaint of an infraction by a BA member. Such a complaint must be signed and in writing and must be filed within twenty-eight (28) days of the alleged incident. Anonymous complaints may be accepted upon the sole discretion of the BA.
- b. A complainant wishing to file a complaint beyond the twenty-eight (28) days must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the notice of complaint outside the twenty-eight (28) day period will be at the sole discretion of the BA. This decision may not be appealed.
- c. Upon receipt of a complaint, the BA Board of Directors will oversee management and administration of complaints submitted in accordance with this Policy.

## **3. Dealing with a Complaint**

The BA Board of Directors will:

- a. Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy;
- b. Determine if the complaint is a minor or major infraction; and
- c. Will inform the parties if the incident is to be dealt with as a minor infraction or major infraction and how the matter will be managed as outlined further in this Policy.

## **4. Minor Infractions**

- a. Minor Infractions will be dealt with by the appropriate person having authority over the situation and the individual involved. The person in authority may include, but is not restricted to, officials, coaches, organizers, or BA staff. Minor infractions will be dealt with informally, but any discipline will be reported, in writing to the BA Board.
- b. Penalties for minor infractions, which may be applied singly or in combination, include the following:
  - Verbal or written warning;
  - Verbal or written apology; or
  - Suspension from the current competition, activity or event.

- c. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behavior that constitutes either a minor or major infraction.

## **5. Major infractions**

- a. Major infractions will be dealt with using the disciplinary procedures set out in this policy, except where a dispute resolution procedure contained within a contract or other formal written agreement takes precedence.
- b. Major infractions occurring within competition 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 competition, training, activity or event only. 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.

## **6. Procedure for Major Infraction Hearing**

- a. The BA Board will determine the format of the hearing, which may involve an oral hearing in person, an oral hearing by telephone, a hearing based on written submissions or a combination of these methods.
- b. The hearing will be held within the appropriate timeline determined by the BA Board.
- c. The Parties will be given appropriate notice of the day, time and place of the hearing.
- d. Copies of any written documents which the parties wish to have the BA Board consider will be provided to all parties in advance of the hearing in accordance with the appropriate timeline.
- e. Both parties may be accompanied by a representative or adviser, including legal counsel.
- f. The BA Board may request that any other individual participate and give evidence at the hearing.

## **7. Decision**

- a. After hearing the matter, the BA Board will determine whether an infraction has occurred and if so what appropriate sanction will be imposed.
- b. The BA Board's written decision, with reasons, will be distributed to all parties within fourteen (14) days of the conclusion of the hearing.
- c. The decision will be considered a matter of public record unless decided otherwise by both parties.
- d. Where the individual acknowledges the facts of the incident, he or she may waive the hearing, in which case the BA Board will determine the appropriate disciplinary sanction.

## **8. Sanctions**

- a. The BA Board may apply the following disciplinary sanctions singly or in combination, for major infractions:
  - Verbal or written warning;
  - Verbal or written apology;
  - Expulsion from BA;
  - Other sanctions as may be considered appropriate for the offense.

- b. Unless the BA Board decides otherwise, any disciplinary sanctions will commence immediately.
- c. Failure to comply with a sanction as determined by the Board will result in automatic suspension of membership in BA until such time as compliance occurs.
- d. A written record will be maintained by the BA for major infractions that result in a sanction.

## **9. Serious Infractions**

The BA Board may determine that an alleged incident is of such seriousness as to warrant suspension of the individual pending a hearing and a decision of the BA Board.

## **10. Criminal Convictions**

A Member's conviction for any of the following Criminal Code offenses will be deemed an infraction under this Policy and will result in expulsion from the BA.

- a) Child pornography offences;
- b) Any sexual offences involving a minor;
- c) Any offence of assault involving a minor;
- d) Any offence of physical or psychological violence involving a minor; or
- e) Any offence involving trafficking of illegal drugs or substances listed on the Canadian Anti-Doping Program's Prohibited List.

## **11. Timelines**

If the circumstances of the complaint are such that this policy will not allow a timely conclusion, or if the circumstances of the complaint are such the complaint cannot be concluded within the timelines dictated in this policy, the BA Board may direct that these timelines be revised.

## **12. Confidentiality**

The discipline and complaints process must remain confidential involving only the people involved in the dispute. 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. An exception may be made if it is in the best interest of BA and its members that the issue and its resolution become public.

## **13. Appeals Procedure**

The decision of the Panel may be appealed in accordance with BA's *Appeal Policy*.