

Red Deer Marlins Swim Club

Club Discipline Procedure Policy

Preamble

It is the desire of the Red Deer Marlins Swim Club (herein known as RDMSC) to run effectively and within the spirit of the sport. From time to time, issues arise that have the potential to harm the reputation of a swim club and the sport in general. To that end, a guideline has been devised to best help deal with these issues internally and in doing so minimize any potential damage. Members however, should be aware that these guidelines are secondary to any ASSA Policies/Rules or Provincial/Federal Law.

Definitions

- a) Days – Days irrespective of weekends and holidays
- b) RDMSC Members – Swimmers, Coaches, Parents, Guardians, Volunteers as well as individuals engaged in activities with the RDMSC
- c) Policy – Club Discipline Procedure Policy
- d) Complainant – Party alleging and infraction
- e) Respondent – Alleged infracting party
- f) Club - RDMSC

Purpose

The RDMSC is committed to providing an environment in which all members are treated with the utmost respect. Irresponsible behaviour can result in severe damage to the integrity of the RDMSC or to the safety of its members. Conduct that violates these values may be subject to disciplinary measures contained in this policy. Since disciplinary measures may be applied, it is only fair to provide members a mechanism so complaints and discipline is dealt with fairly, timely, and affordably.

The RDMSC is committed to providing an environment that is characterized by the value of fairness, integrity, open communication and mutual respect. Participation in RDMSC activities brings with it many benefits and privileges. At the same time, RDMSC members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, procedures, rules and regulations set forth in the RDMSC Code of Conduct.

Application of this Policy

This policy applies to all Members as defined in the Definitions. This Policy only applies to discipline matters that may arise during the course of Red Deer Marlins Swim Club business, activities and events including but not limited to training, activities, events and meetings. **Issues of harassment will be dealt with in accordance with the RDMSC Harassment Policy.**

Reporting a Complaint

Any individual may report a complaint following the correct procedure. The complaint, in writing, must be received within seven (7) days of the alleged incident and must be submitted to the Vice President of the RDMSC . Complaints must be as detailed as possible including date, time, location and names of any other witnesses involved (Incident Report Form can be found on the Red Deer Marlins website at www.reddeermarlins.org). Anonymous complaints will not be accepted but a complainant may request anonymity during the process. A complainant wishing to file a complaint beyond the seven (7) 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 seven (7) days period will be at the sole discretion of the RDMSC Executive. This decision may not be appealed.

Discipline and Complaints Policy

If a complaint is determined by the RDMSC Executive, to be legitimate, the complaint will be designated as a minor infraction or a major infraction. It will be at the discretion of the RDMSC to determine whether the complaint is to be dealt with as a minor or major infraction. This decision may not be appealed.

If an incident is determined to be a minor infraction, the RDMSC Vice President will inform the alleged offender and the matter will be dealt with according to the section relating to minor infractions.

If the incident is determined to be a major infraction, and if the RDMSC determines a hearing is required, the alleged offender will be notified as quickly as possible and the matter will be dealt with according to the section relating to major infractions.

This Policy will not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviours that constitute either a minor or major infraction, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident. Further disciplinary measure may be applied in accordance with the procedures set out in this Policy.

Minor Infractions

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

- a) Disrespectful, offensive, abusive, threatening, racist or sexist comments or behaviour directed toward others (May be dealt with through Harassment Policy)
- b) Conduct contrary to the ideals of respect such as angry outbursts or arguments
- c) Non-compliance with the Policies and Procedures under which the RDMSC is governed
- d) Violations of RDMSC Code of Conduct Policy

All disciplinary situations involving minor infractions will be dealt with by the Vice President of the RDMSC informally within seven (7) days of proper notification from the complainant(s), and will be documented, signed and acknowledged by the offender if deemed to be a legitimate offence.

Disciplinary measures for minor infractions, which may be applied singly or in combination, include the following:

- a) Verbal reprimand which may be placed on the individual's record
- b) Verbal or written apology to complainant or Club Member(s)
- c) Service or other contribution to the RDMSC
- d) Suspension from an activity or event
- e) Any other disciplinary measure considered appropriate for the offense up to and including member dismissal

Minor infractions that result in discipline will be recorded and maintained by the Vice President of the RDMSC. Repeated minor infractions may result in further discipline up to and including member dismissal.

Major Infractions

Major infractions are instances of misconduct that result or have the potential to result, in harm to other persons or the RDMSC.

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

- a) Repeated incidents of disrespectful, offensive, abusive, threatening, racist or sexist comments or behaviour directed towards others
- b) Repeated conduct contrary to the ideals of respect such as angry outbursts or argument
- c) Incidents of physical abuse
- d) Pranks, jokes that endanger the safety of others
- e) Conduct which results in harm to the image, credibility or reputation of the RDMSC

Major infractions may be dealt with immediately, if necessary, by RDMSC personnel, provided the individual being disciplined is told the nature of the infractions and has an opportunity to provide information concerning the incident. In such situations, disciplinary measures will be for the durations of the training, program or event only. Further disciplinary measure may be applied but only after review of the matter in accordance with the procedures set out in the Policy. Should the matter be severe enough, all documentation will be sent to ASSA for their review for further discipline through the ASSA Discipline and Complaints Policy.

Discipline

Within seven (7) days of receiving a complaint, the Vice President will review and file the complaint, choose the appropriate discipline and notify the alleged offender. Should this matter be deemed more severe, the Vice President will present the issue to the RDMSC Executive who will review the incident and come to a conclusion on the severity of the discipline.

Appeal Panel and Hearing

An alleged offender will have three (3) days from the date of notification of discipline to appeal the discipline handed down. **The appeal must contain a clear and concise summary of the grounds for the appeal. The appeal will cost the alleged offender \$100 to pay for costs of appeal.**

Upon reviewing a request for an appeal, the RDMSC Executive will establish a Special Committee comprised of three (3) members to hear any appeals related to the discipline or actions undertaken as a result of the outcome of the investigation. The Committee will have no significant relationship with the complainant or the respondent; will have no involvement with the alleged infraction; and will be free from any other bias or conflict of interest.

The Committee will review the documentation from all parties and schedule an oral hearing as soon as possible (within 10 days) to be held at a neutral location of the Committee's choice. Through the documentation review and the oral hearing, the Committee will decide within three (3) days whether the individual(s) will be disciplined and the appropriate penalty.

Where the individual acknowledges the facts of the incidents, he or she may waive any hearing and the penalty will stand.

Disciplinary Measures

The Committee may apply the following disciplinary measure singly or in combination for any or all infractions:

- a) Written reprimand to be placed on the individual's record
- b) Written apology
- c) Removal of certain privileges
- d) Suspension from RDMSC programs, events, activities, functions
- e) Suspension from all RDMSC activities for a designated period of time
- f) Expulsion from the RDMSC
- g) Publication of the Committee decision
- h) Other measures may be considered appropriate to the offense

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 that the complaint cannot be concluded within the timelines dictated in the policy, the Committee may direct that these timelines be revised.