

CANADIAN 5 PIN BOWLERS' ASSOCIATION

DISCIPLINE POLICY

PREAMBLE

The Canadian 5 Pin Bowlers' Association (hereinafter referred to as C5PBA) is committed to providing a sport environment which is athlete-centered, and characterized by the values of fairness, integrity, open communication, and mutual respect. Membership in C5PBA, as well as participation in its activities, brings with it many benefits and privileges. At the same time, members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, by-laws, rules and regulations and Code of Conduct of C5PBA.

In this policy, "member" refers to all categories of members of C5PBA, as well as to all individuals employed by or engaged in activities with C5PBA, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, medical and paramedical personnel, administrators and employees (regular & contract).

1. APPLICATION

- i) This Policy applies to all "members" of C5PBA as set out in the Preamble.
- ii) This Policy applies to discipline matters that may arise during the course of all C5PBA business, activities and events, including but not limited to, sanctioned tournaments, training camps, meetings and travel associated with these activities.
- iii) Discipline matters arising within the business, activities or events of C5PBA Member Associations shall be dealt with using the discipline policies and mechanisms of such organizations. In the absence of a Discipline Policy within a member association, the C5PBA policy shall be applied.

2. DISCIPLINARY PROCEDURES

i) Minor Infractions

- a) Minor infractions are single incidents of breaching the C5PBA Code of Conduct that generally do not result in harm to others. Examples of minor infractions include, but are not limited to:
 - single instances of disrespectful comments or behaviour directed towards others;
 - single instances of unsportsmanlike conduct.
 - being late for or absent from C5PBA events and activities at which attendance is expected or required;
 - single instances of non-compliance with the policies and rules of C5PBA
- b) All disciplinary situations involving minor infractions will be dealt with by the appropriate person having authority over the Member involved: this person may include, but is not

restricted to, a coach, event group leader, team manager, official, meet or race director, board member, or senior staff member.

ii) Major Infractions

- a) Major infractions are instances of misconduct that result, or have the potential to result, in harm to other persons, to C5PBA or to the Sport of bowling. Examples of major infractions include, but are not limited to:
 - repeated minor infractions;
 - activities or behaviour that interfere with a competition or with any athlete's preparation for a competition;
 - pranks, jokes or other activities that endanger the safety of others;
 - conduct that intentionally damages the image, credibility or reputation of C5PBA, including entering into a conflict of interest (See C5PBA Conflict of Interest Policy);
 - behaviour that constitutes harassment, sexual harassment or sexual misconduct;
 - abusive use of alcohol, any use of alcohol by minors, use of illicit drugs and narcotics, or use of banned performance enhancing drugs or methods.
- b) Major infractions will be reviewed and decided using the disciplinary procedures set out in this policy.
- c) Major infractions that occur within competition may be dealt with immediately by the appropriate person having authority, in conjunction with the Head of Delegation and the Head Coach. In such situations, disciplinary sanctions will be for the duration of the competition only. Further sanctions may be applied but only after review of the matter using the disciplinary procedures set out in this policy.
- d) Any decisions on major infractions should be brought to the Board for information.

3. Reporting an Infraction

- i) Any individual may report to an official of C5PBA a complaint of an infraction. Such complaint must be in writing and must be made within 14 days of the alleged infraction. For the purposes of this Section, an 'official' is any person in a responsible staff or volunteer position within C5PBA.
- ii) Upon receiving a complaint, the official will provide it immediately to the senior staff member, or designate, if the senior staff member is not able to act in this capacity.
- iii) C5PBA may determine that alleged infraction is of such seriousness as to warrant suspension of the member pending investigation, a hearing and a disciplinary decision.
- iv) Upon receiving a complaint of a major infraction, the senior staff member will review the complaint and may:
 - Dismiss the complaint if he or she considers it to be trivial or vexatious;
 - Determine that the complaint does not fall within the jurisdiction of this policy, and refer it to the appropriate body having jurisdiction;
 - Direct that the infraction be dealt with informally as a minor infraction; or
 - Refer the matter to the Discipline Committee to deal with as a major infraction.

4. Disciplinary Procedures

- i) The Discipline Committee is a C5PBA tribunal composed of three persons, who are appointed by C5PBA to deal with the complaint. The Discipline Committee has an overall responsibility to ensure procedural fairness is respected at all times during the disciplinary process, and to carry out this process in a timely manner.
- ii) Depending on the circumstances of the complaint, the Discipline Committee may authorize an investigation into the alleged infraction.
- iii) The Discipline Committee will determine the format of the disciplinary process, 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.
- iv) The Member will be given reasonable notice of the format as well as day, time and place of the hearing; will receive a copy of the Investigation Report if an investigation report was carried out; may be accompanied by a representative; and will have the right to present evidence and argument before the Discipline Committee.
- v) After hearing the matter, the Discipline Committee will reach a decision as to whether an infraction has occurred and if it has, what the sanction should be. The Discipline Committee will issue a written decision, including reasons, for distribution to the Member, the complainant and the senior staff member.
- vi) Where the conduct being reviewed by this policy is of a sensitive nature, the Discipline Committee and C5PBA will keep all proceedings under the policy confidential, except where publication is ordered as part of the sanction, is stipulated by the Canadian Anti-Doping Program, is requested by Sport Canada, is required by law, or is in the best interests of the public.
- vii) In fulfilling its duties, and with the approval of C5PBA, the Discipline Committee may obtain independent advice.

5. Disciplinary Sanctions

- i) The following are examples of disciplinary sanctions that may be applied where it is found that an infraction has occurred:
 - verbal or written reprimand;
 - require a verbal or written apology;
 - service or other voluntary contribution to C5PBA;
 - removal of certain privileges of membership or employment;
 - suspension from certain events, which may include suspension from the current competition or from future teams or competitions;

- suspension from certain C5PBA activities such as competing, coaching or officiating for a designated period of time;
 - removal of C5PBA or Sport Canada funding;
 - suspension from all C5PBA activities for a designated period of time;
 - publication of the disciplinary sanction;
 - financial penalty up to 100% of costs paid by C5PBA.
- ii) It is understood that the above are representative penalties only, that they may be modified to fit the circumstances of the infraction, and that they are presented generally in order of severity.

6. Appeals

- i) Appeals of decisions rendered under this policy will be dealt with using the C5PBA Appeals/Dispute Resolution Policy.

The C5PBA recognizes that some situations may present conflicts that are not materially harmful. As a result, the C5PBA Board of Directors or Senior Staff, as appropriate, will address such situations on a case-by-case basis. All Members are responsible to report to the C5PBA all instances of real or perceived conflict, so that a determination can be made as to whether the particular instance is in fact harmful to C5PBA or its Members, and therefore prohibited.

CSPBA Discipline Policy
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