



DISCIPLINE AND COMPLAINTS POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a. Complainant – The Party alleging an infraction
 - b. Individuals – Members of the Club and all individuals engaged in activities with KWSSSC including, but not limited to, athletes, coaches, judges, officials, volunteers, committee members, and directors and officers of KWSSSC
 - c. Parties – The Complainant, Respondent, and any other Individuals or persons affected by the complaint
 - d. Respondent – The alleged infracting Party
 - e. Sport Environment – Any place where KWSSSC business or activities are conducted. Sport Environment includes but is not limited to, KWSSSC competitions, practices, training camps, travel associated with KWSSSC, and any meetings.

Purpose

2. KWSSSC is committed to providing an environment in which all Individuals involved with KWSSSC are treated with respect. Association with KWSSSC, as well as participation in its activities, brings many benefits and privileges. At the same time, Individuals are expected to fulfill certain responsibilities and obligations including complying with KWSSSC's policies, bylaws, rules and regulations. Conduct that violates these values may be subject to sanctions pursuant to this Policy. Since discipline may be applied, KWSSSC provides individuals with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.

Application of this Policy

3. This Policy applies to all Individuals.
4. This Policy applies to discipline matters that may arise within the KWSSSC Sport Environment.
5. Discipline matters and complaints arising within the business, activities and events organized by KWSSSC partners and Provincial Association will be dealt with pursuant to the policies of these other entities.

Reporting a Complaint

6. Any Individual may report any complaint to KWSSSC. Such a complaint must be in writing and signed, and must be filed within fourteen (14) days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of KWSSSC.
7. A Complainant wishing to file a complaint outside of the fourteen (14) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the fourteen (14) day period will be at the sole discretion of

KWSSSC. This decision may not be appealed.

8. Complaints received for minor infractions will be referred to KWSSSC's President (or designate) for review, with the objective of resolving the dispute.
9. Complaints received for major infractions will be referred to the Ontario Speed Skating Association for resolution under its Discipline and Complaints Policy.
10. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.
11. Any infractions or complaints occurring within competition will be dealt with pursuant to the appropriate procedures at that competition.

Minor Infractions

12. Minor infractions are **single incidents** of failing to achieve expected standards of conduct that generally do not result in harm to others or to KWSSSC. Examples of minor infractions can include, but are not limited to, a single incident of:
 - a. Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
 - b. Disrespectful conduct such as outbursts of anger or argument
 - c. Conduct contrary to the values of KWSSSC
 - d. Being late for, or absent from, KWSSSC events and activities at which attendance is expected or required
 - e. Non-compliance with KWSSSC's policies, procedures, rules, or regulations
 - f. Minor violations of KWSSSC's *Code of Conduct and Ethics*
 - g. Tampering
13. All disciplinary situations involving minor infractions will be dealt with by the appropriate person who has authority over both the situation and the individual involved. The person in authority can be, but is not restricted to being KWSSSC decision-makers.
14. Provided that the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).
15. Penalties for minor infractions, which may be applied singularly or in combination, include the following:
 - a. Verbal or written reprimand from KWSSSC to one of the Parties
 - b. Verbal or written apology from one Party to the other Party
 - c. Service or other voluntary contribution to KWSSSC
 - d. Removal of certain privileges of membership for a designated period of time
 - e. Suspension from competitions, activities, or events
 - f. Restriction of activities
 - g. Fines
 - h. Any other sanction considered appropriate for the offense
16. Repeat minor infractions may result in further such incidents being considered a major infraction.

Major Infractions

17. 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 KWSSSC, or to the sport of speed skating. Examples of major infractions include, but are not limited to:
- a. Repeated minor infractions
 - b. Any incident of hazing
 - c. Incidents of physical abuse
 - d. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - e. Pranks, jokes, or other activities that endanger the safety of others
 - f. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - g. Conduct that intentionally damages KWSSSC's image, credibility, or reputation
 - h. Disregard for KWSSSC's bylaws, policies, rules, and regulations
 - i. Major or repeated violations of KWSSSC's *Code of Conduct and Ethics*
 - j. Intentionally damaging KWSSSC property or improperly handling KWSSSC monies
 - k. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - l. Any possession or use of banned performance enhancing drugs or methods

Criminal Convictions

18. An individual's conviction for any of the following *Criminal Code* offenses will be deemed a major infraction under this Policy and will result in dismissal from KWSSSC upon the sole discretion of KWSSSC:
- a. Any child pornography offences
 - b. Any sexual offences
 - c. Any offence of physical or psychological violence
 - d. Any offence of assault
 - e. Any offence involving trafficking of illegal drugs

Confidentiality

19. The discipline and complaints process is confidential. The Parties shall not disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

Records and Distribution of Decisions

20. Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by KWSSSC.
21. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.

Appeals Procedure

22. The decision of KWSSSC may be appealed in accordance with KWSSSC's *Appeal Policy*.

Approval

23. This policy was approved by the KWSSSC Board of Directors on February 12, 2019.