

# Ontario Amateur Softball Association (OASA)

## Conduct/ Discipline

### Relating to Member Conduct

#### Application of this Policy

This policy applies to Members of the Ontario Amateur Softball Association where the team member refers to all categories of Members as defined in the By-Laws of the OASA as well as individuals engaged in activities with the OASA but not limited to directors, officers, managers, coaches, players and all volunteer's.

This policy applies to the conduct of member's at any activity, program or event organized by the OASA.

#### Expected Standard of Ethical Conduct

##### All Members of the OASA are expected to:

- Demonstrate through words and actions the spirit of sportsmanship, sports leadership and ethical conduct
- Treat others with respect and refrain from negative or disparaging remarks or conduct
- Avoid and reject non-medical use of drugs or the use of performance enhancing drugs or methods
- Consume alcohol and tobacco products responsibly in association with the OASA events
- Refrain from any behavior that constitutes harassment, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading or malicious
- Refrain from any behavior that constitutes sexual harassment, where sexual harassment is defined as unwelcome sexual advances or conduct of a sexual nature, when submitting to or rejecting this conduct influences decisions which affect the individual, such conduct has the purpose of diminishing performance, or such conduct creates an intimidating, hostile or offensive environment
- Comply at all times with the By-Laws policies and regulations of the OASA, as adopted and amended from time to time, including complying with any contracts or agreements executed with or by the OASA

#### Types of infractions

Failure by a Member to achieve the expected standard set out above may result in an infraction and the imposition of discipline, infractions are divided into two types, minor and major infractions which are dealt with using different procedures.

Minor infractions are single incidents of breaching the expected standards 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 behavior directed towards others
- Single instances of unsportsmanlike conduct
- Single instances of non-compliance with policies and rules of the OASA

Policy Name: Discipline

Policy Number: D-001

Version Control: November 1, 2016

Ratification Date: November 27, 2016

Review Date: November 27, 2019

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 board member, a committee volunteer, or any other person holding a position of authority in the given circumstances.

Major infractions are instances of misconduct that result, or have the potential to result, in harm to other persons, to the OASA, or to the sport of softball. Examples of major infractions include but are not limited to:

#### Repeated minor infractions

- Activities or behavior that interferes with a competition or with any athletes preparation for a competition
- Pranks, jokes or other activities that endanger the safety of others
- Deliberate disregard for the policies and rules of the OASA
- Conduct that intentionally damages the image, credibility or reputation of the OASA
- Behavior 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

Major infractions will be reviewed and decided using the disciplinary procedures set out in this policy.

#### Reporting an infraction

Any individual may report to an Official of the OASA 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 position within the Ontario Amateur Softball Association.

Upon receiving a complaint, the Official will provide it immediately to the President, or designate, the President is not available or not able to act in his capacity.

The Ontario Amateur Softball Association may determine that an alleged infraction of such seriousness as to warrant suspension of the Member pending investigation, a hearing and a disciplinary decision.

Upon receiving a complaint of a major infraction the President 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

#### Disciplinary Procedures

The **Discipline Committee** is an Ontario Amateur Softball Association tribunal consisting of three persons who are appointed by the Ontario Amateur Softball Association to deal with the complaint. At least two of the three persons will be actively involved in the sport of softball in Ontario. The Discipline Committee has the authority to determine its own procedures, has an overall responsibility to ensure procedural fairness is respected at all times during the disciplinary process and to carry out the process in a timely manner.

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 was carried out, may be accompanied by a representative, and will have the right to present evidence and argument before the Discipline Committee.

After hearing the matter, the Discipline Committee will reach a decision as to whether an infraction has occurred and if it had, what the sanction should be. The Discipline Committee will issue a written decision, including reasons for distribution to the Member, the complainant and the President.

When the conduct being reviewed by this policy is of a sensitive nature, the Discipline Committee and the Ontario Amateur Softball Association will keep all proceedings under the confidential policy, except where publication is ordered as part of the sanction, is required by law, or is in the best interests of the public in fulfilling its duties, and with the approval of the Ontario Amateur Softball Association, the Discipline Committee may obtain independent advice.