

GVBA Dispute Resolution and Discipline Policy

Part 1 - Preamble

1. The Greater Victoria Baseball Association (GVBA) is committed to the development of amateur baseball in Greater Victoria and the establishment of a friendly and mutually rewarding relationship among members of the GVBA to better facilitate competition.
2. Membership in the GVBA 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 Code of Conduct, Harassment Policy, general policies rules and regulations of Baseball BC, BC Minor Baseball Association and any other associations affiliated with the GVBA.
3. The BC Minor Baseball Association's Code of Conduct identifies the standard of behavior which is expected of members of the GVBA. Members who fail to meet this standard will be subject to the disciplinary sanctions identified within this Dispute Resolution and Discipline Policy.
4. Members are expected to attempt to resolve issues that arise in their parks using the conflict resolution policies that each park should maintain. Only if resolution cannot be achieved or if the matter falls outside of the parameters of the park should the resolution be sought at the GVBA level.
5. For the purposes of this policy, a member includes players, coaches, spectators, board members, and any other person to whom it is logical that this policy may apply.
6. Any individual subject to this policy may report a complaint to the President (or Delegate) in writing or by email (using the complaint form in **Appendix B**), setting out a brief summary of the matters in dispute including but not limited to the date, time and location from which the dispute arises ("the Complaint").
7. The initial complaint will be handled as promptly and efficiently as reasonable, taking into account all of the circumstances.

Part 2 - Mediation-Complaints-Investigations

8. The complaint should be resolved fairly by mediation between the parties, where possible, depending on the nature and seriousness of the complaint, this is always the first procedure to be followed to eliminate the time and cost to the Association(s) members and volunteers. Personal issues between members do not fall under the jurisdiction of the Association.
9. If mediation cannot resolve the complaint, the President (or Delegate) will initiate an investigation or hearing to seek relevant information from the party(s) to the complaint, depending on the severity of the complaint.

10. The President (or Delegate) may seek all pertinent information from each party by interviewing the party(s) and their witnesses either individually or by a committee hearing. This is the time that all information must be disclosed to each party to the complaint. The respondent to the complaint must have the opportunity to respond to the complaint, preferably in writing outlining their actions, prior to the completion of the investigation. This enables the Discipline Committee to evaluate both sides of the complaint before making a decision.
11. The Association must follow Procedural fairness when a complaint is received. The issues of disclosure, confidentiality and neutrality will be explained initially to the Complainant:
 - (a) Disclosure-person being complained about is entitled to know the factual details of the complaint, before a decision is made.
 - (b) Confidentiality- the complainant / respondent must understand that the Society cannot promise complete confidentiality, only that it will be handled discreetly, professionally as possible and in confidence to the party(s) involved.
 - (c) Neutrality- the Association representative must remain neutral and cannot take sides on the issue.
12. Members must take great care in making complaints against other members, and understand the complaint must be disclosed to the other party. If any member knows of a serious offence by another member that does not fall under the jurisdiction of the Association, reporting it to the appropriate government agency is the responsibility of the individual not the Association. i.e.: abuse.
13. Once the complaint is received, the President (or Delegate) will follow the procedures outlined above and when complete forward a written report to the Discipline Committee for decision or information for files.

Part 3 -Discipline

14. The President (or Delegate) of the Association shall have the power to suspend any player, team official or other member found to have breached the playing rules, displayed any conduct unbecoming a member, unsportsmanlike conduct or behavior which could bring harm to others or discredit the Association and the game of baseball both on and off the field, or who fails to comply with the Constitution, Bylaws, Policies, Rules or Regulations adopted by the Association or it's governing bodies. In cases where in the opinion of the President, a suspension of more than 3 games or 3 days is warranted, the member will be suspended indefinitely pending an investigation.
15. The President (or Delegate) will chair the Discipline Committee with two (2) additional appointed GVBA board members for a total of three (3). The Discipline Committee is responsible to review any actions taken by the President (or Delegate), and review and decide any disciplinary action deemed necessary by the reports of the President (or Delegate).

16. The Discipline Committee will only decide issues that fall under the Association's jurisdiction, that pertain to GVBA members and programs, the Constitution, Bylaws, Rules, Regulations and Policies (unless no such policy is in place at a park). Personal disputes that arise between members do not fall under the jurisdiction of the Association unless they relate to harassment between members. Cases of abuse must be reported to the appropriate government agency for swift resolution.
17. Subsequent to receiving the Complaint, the Discipline Committee shall make a determination as to whether the Complaint would, if upheld, constitute a Minor Infraction or a Major Infraction. The decision regarding the nature of the infraction is final and may not be appealed.
18. Examples of Minor and Major Infractions are set out in **Appendix A**. These examples are not meant to be exhaustive and the Discipline Committee may determine that other conduct constitutes a Minor or Major Infraction.
19. Notice of the finding of the Discipline Committee and, if applicable, the disciplinary sanctions applied shall be in writing and provided to the individual to whom the complaint applies and the person who initiated the complaint.
20. The decisions of the Discipline Committee will be in writing to the parties involved, and shall clearly state the:
 - (a) Issue to be decided
 - (b) Background information
 - (c) Statement of facts
 - (d) Authorities considered - precedent decisions etc.
 - (e) The Decision
 - (f) Reasons for the Decision
21. A decision of the Discipline Committee will take effect immediately upon notification in person or by email to the parties to the decision. The decision is considered in effect upon the party(s) at the time of receipt of the Decision.
22. The party(s) to the decision may appeal the decision of the Discipline Committee based on the following criteria:
 - (a) Change of Evidence- new information.
 - (b) Proceeding Irregularities
 - (c) The Decision was too severe.
 - (d) Decision reached in an unjust manner.
23. In every case the Discipline Committee will strive to keep matters relating to the case confidential between the party(s) involved. Disclosure of all pertinent information is required for procedural fairness, and therefore complete confidentiality cannot always be assured. Decisions involving expulsion for serious offenses outside the jurisdiction of the Association will be disclosed if required by law.

24. Depending on the severity of the actions of members, the Discipline Committee may consider the following disciplinary sanctions:

- (a) Verbal or written apology
- (b) Letter of reprimand
- (c) Referral to counseling
- (d) Temporary suspension of membership privileges
- (e) Removal of Membership privileges
- (f) Expulsion
- (g) Other sanctions as may be considered appropriate for the offence.

25. The timelines established in this policy may be abridged or extended in certain circumstances, at the sole discretion of the Discipline Committee.

Part 4 - Appeals

26. The Chairman of the Appeals Committee shall be appointed by the President (or Delegate) for each Appeal heard, based on qualifications and experience and Procedural Fairness in regards to Conflict of Interest.

27. The Chairman of the Appeals Committee shall select two (2) additional appointed GVBA board members for a total of three (3) members.

28. The Appeals Committee shall review a decision of the Discipline Committee under the above noted conditions in paragraph 22 only.

29. The Complainant or Respondent who is dissatisfied with a decision of the Discipline Committee may initiate an Appeal on these conditions within seven (7) days of receipt of the notice of the decision by the Discipline Committee.

30. The Notice of Appeal must be in writing and include grounds for the Appeal and the facts supporting the grounds for appeal.

31. When the Appeal is filed there shall be no stay of suspension imposed by the Discipline Committee, of which is the subject of the appeal.

32. The Complainant or Respondent filing the appeal has the right to access all pertinent information on which the ruling was made.

33. The decision of the Appeals Committee shall be in writing or by email to the aggrieved party within ten days of the initial filing of the Notice of Appeal.

APPENDIX A

Minor infractions may include:

1. A single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
2. Unsportsmanlike conduct such as angry outbursts or arguing;
3. A single incident of being late for or absent from Baseball B.C. events and activities at which attendance is expected or required; and
4. A single incident of non-compliance with the rules and regulations under which Baseball B.C. events are conducted, whether at the local, provincial, national or international level.

Major infractions may include:

1. Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
2. Repeated unsportsmanlike conduct such as any angry outburst or arguing;
3. Pranks, jokes or any other activities which endanger the safety of others;
4. Deliberate disregard for the rules and regulations under which GVBA events are conducted, whether at the local, district, provincial, national or international level;
5. Playing under an assumed name, falsifying an affidavit or roster, or giving false information to tournament officials;
6. Knowingly participating while ineligible;
7. Knowingly competing with or against players who have been disqualified;
8. Repeated incidents of being late for or absent from Baseball B.C. events and activities at which attendance is expected or required;
9. Activities or behaviour which interfere with a competition or with any athlete's preparation for a competition;
10. Abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner, or interferes with the individual's ability to perform effectively and safely;
11. Any use of alcohol by minors;
12. Use of illicit drugs or narcotics;
13. Hazing; and
14. Use of banned performance enhancing drugs or methods.

APPENDIX B

Greater Victoria Baseball Association (GVBA)

Complaint Form

Name of Complainant (Requestor): _____

Name of Subject of Complaint (Respondent): _____

Date and Time of Incident: _____

Division Associated to Complaint: _____

Affiliation to Association of Subject of Complaint (please circle):

Player Coach Parent Other - _____

Description of Incident (use separate sheet if more room needed):

Witnesses to the Incident (please supply contact information for each):

1) _____

2) _____

3) _____

What Resolution Are You Seeking? _____

Contact Information of Complainant:

Email - _____

Phone - _____

Name of Complainant - _____

Signature of Complainant- _____

Date of Complaint- _____

Please submit this complaint via email to the following email addresses:

presidentgvba@gmail.com and victoriabaseball@gmail.com