

DISCIPLINE POLICY

Definitions

The following terms have these meanings in this Policy:

- a) *“Complainant”* – The Party alleging an infraction
- b) *“Respondent”* – The alleged infracting Party
- c) *“Parties”* – The Complainant, Respondent, and any other Individuals affected by the complaint
- d) *“Days”* – Days irrespective of weekends and holidays
- e) *“Individuals”* – All categories of membership defined in the Baseball Canada Bylaws, as well as all individuals employed by, or engaged in activities with, Baseball Canada including, but not limited to, players, coaches, conveners, umpires, officials, volunteers, managers, administrators, committee members, directors and officers of Baseball Canada.
- f) *“Complaints”* - Complaints are considered to be incidents of failing to be compliant with the Code of Conduct that have the potential to result in harm to others, Baseball Canada, or to the sport of baseball.
- g) *“Panel”* – Will be appointed by the Executive Director

Purpose

Baseball Canada is committed to providing an environment in which all Individuals involved with Baseball Canada are treated with respect. Conduct that violates the Baseball Canada Code of Conduct may be subject to discipline and sanctions pursuant to this Policy. Baseball Canada provides Individuals with this Discipline Policy to enable a fair and expedient process that addresses breaches of the Code of Conduct.

Scope and Application of this Policy

This Policy applies to all Individuals.

This Policy will apply to discipline matters that may arise during the course of Baseball Canada business, activities, and events including, but not limited to, games, practices, National Team tryouts, tournaments, training camps, travel associated with Baseball Canada activities, and meetings.

This Policy does not prevent discipline from being applied, during a competition or event, according to specific procedures in place for the particular event. Further sanctions may be applied according to this Policy.

This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behavior that constitutes an infraction. The person in authority can be, but is not restricted to being, staff,

officials, coaches, organizers or Baseball Canada decision-makers. Further sanctions may be applied in accordance with the procedures set out in this Policy.

Any breach of the Code of Conduct or complaints occurring during a specific event will be dealt with by the procedures specific to that event, if applicable. In such situations, sanctions will be for the duration of the event only. Further sanctions may be applied, but only after a review of the matter in accordance with the procedures set out in this Policy.

Breaches of the Code of Conduct and complaints arising within the business, activities, or events organized by entities other than Baseball Canada will be dealt with pursuant to the policies of these other entities unless requested and accepted by Baseball Canada at its sole discretion.

Composition of the Panel

The Panel shall be composed of not less than one member and not more than three members as determined by the Executive Director.

Notice of Complaint

Any Individual who wish to file a notice of complaint will have fourteen (14) days from the date of the alleged incident to submit, in writing to the attention of the Executive Director at the Baseball Canada office, the following:

- a) notice of complaint/incident
- b) contact information of the complainant
- c) where possible, name of the respondent and any affected parties
- d) date and location of the incident
- e) detailed summary of the incident
- f) all evidence that supports the complaint

An Individual who wishes to initiate a notice of complaint beyond the fourteen (14) day period must provide a written request stating the reasons for the late delivery. A complaint beyond the fourteen (14) day period is accepted at the sole discretion of the Panel.

Anonymous complaints or complaints received may be accepted at the sole discretion of the Panel.

The Panel will inform, within seven (7) days of receiving the notice of infraction, the Individual(s) cited, that a review of the alleged incident may be conducted.

The Respondent(s) cited, will have seven (7) days of receiving the Complaint to provide the Panel, in writing, with any additional information to be considered.

Screening of Notice of Complaint

The Panel will have the right to determine if a complaint will be accepted.

Procedure for Discipline Hearing

Once a complaint has been accepted by the Panel, the Panel will decide the format under which the review will be heard and the date the appeal will be heard. This decision is at the sole discretion of the Panel and may not be appealed.

The Panel may choose to invite any Parties to participate in the hearing.

In fulfilling its duties, the Panel may obtain independent advice.

The Panel shall issue its decision and sanctions, if applicable, in writing and with reasons, after the hearing's conclusion.

The Panel's written decision, with reasons, will be distributed as determined by the Panel. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.

Timing

If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Panel may direct that these timelines be revised.

Sanctions

Sanctions for breaches of the Code of Conduct which may be applied singularly or in combination, may include the following, but are not limited to:

- a) verbal or written reprimand from Baseball Canada
- b) verbal or written apology from one party to another party
- c) service or other voluntary contribution to Baseball Canada
- d) removal of certain privileges for a designated period of time
- e) suspension from the current competition, activity, or event
- f) suspension from all Baseball Canada activities for a period of time
- g) fines
- h) withholding of awards
- i) payment of costs (eg. event related costs such as flight, room/board; property damage)
- j) suspension of funding from Baseball Canada or from other sources

- k) discipline specific to the activity, if applicable
- l) any other sanction considered appropriate for the infraction

Unless the Panel determines otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction will result in automatic suspension until such time as compliance occurs.

Suspension Pending a Hearing

The Executive Director may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending a hearing and decision.

Criminal Convictions

An Individual's conviction for any of the following "Criminal Code" offences will result in immediate suspension from Baseball Canada and/or removal from Baseball Canada competitions, programs, activities and events upon the sole discretion of Baseball Canada:

- 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

The discipline procedure is confidential. Once initiated and until a decision is released, none of those involved will disclose confidential information relating to the on going process to any person not involved in the proceedings.

Disclosure

Results of discipline shall be published on the Baseball Canada website unless the Panel orders otherwise.

Appeals

Any disciplinary decision rendered by Baseball Canada would be subject to Baseball Canada's Appeal Policy.