

SECTION FOUR: OPERATING POLICIES

POLICY 4008 – DISCIPLINE AND APPEAL PROCEDURES

Effective date: January 17, 1998

Revision date: March 16, 2013

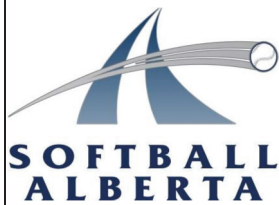
Policy 4008 – Discipline and Appeal Procedures

Definitions

1. The following terms have these meanings in this policy:
 - “*Member*”- All categories of membership defined in the Softball Alberta Bylaws, as well as all individuals employed by or engaged in activities with Softball Alberta, including but not limited to: players, coaches, team managers, umpires, volunteers, administrators, directors, officers and employees.
 - “*Official*” - For the purposes of this policy, an ‘Official’ is any person in a responsible staff or volunteer position with Softball Alberta.

Policy Statement

2. Softball Alberta is committed to providing an environment in which all Softball Alberta Members are treated with respect and characterized by the value of fairness, integrity and open communication. Membership in Softball Alberta, as well as participation in its activities, brings with it many benefits and privileges. At the same time, members and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Bylaws, rules and regulations and policies of Softball Alberta. Irresponsible behavior by Softball Alberta Members can result in severe damage to the integrity of Softball Alberta. Conduct that violates these values may be subject to sanctions pursuant to those Bylaws, rules and regulations, and policies.
3. **Vacant Position:** An Official of Softball Alberta may have their position declared vacant for non-compliance with the Bylaws and Policies; more serious violations may lead to suspensions or even expulsion. Examples of non-compliance include, but are not limited to:
 - a) Non-attendance of three (3) consecutive Board of Director meetings without a reasonable excuse and previous notification;
 - b) Failure to provide a “Police Records Check”, where applicable, and in a timely manner.
4. **Suspension:** Any Member of Softball Alberta may be suspended for improper conduct, on or off the playing field, in relation to Softball Alberta and the game of softball. Reasons for issuing suspensions are laid out in the Softball Alberta Handbook, Policies, and the Bylaws. Suspensions issued by affiliated Leagues, Associations or Umpire Zones may be recognized at the Provincial level once Softball Alberta honors the issued suspension.
5. **Expulsion:** Any Member of Softball Alberta may be expelled from the Association for violating its Bylaws, including but not limited to the following:
 - a) Any act which is deemed by the Board to be detrimental to the Association and/or the game of softball;
 - b) Behaviour contrary to the interest, aims and objectives of the Association, or;
 - c) Actions of employees who act dishonestly or show wanton disregard to the welfare of the Association.
6. An expulsion is only issued through a motion by the Board of Directors.



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7. Any Member expelled or suspended shall have the right of appeal to the Board of Directors. An appeal to courts of law, or to a lawyer in anticipation of legal action, BEFORE all processes of appeal through Softball Alberta are exhausted, shall be deemed unsportsmanlike conduct and the Member shall automatically and immediately be suspended from all privileges and affiliations with Softball Alberta and associated leagues.
8. Any member of Softball Alberta, who has been suspended by Softball Alberta for a period of one year or more, must apply in writing to the Board of Directors of Softball Alberta for reinstatement of membership privileges. Those parties suspended and not reinstated, will have the right to an appeal process.

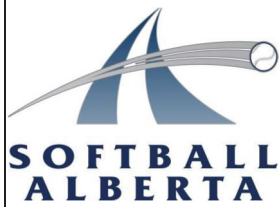
Member Suspensions

Softball Alberta through the President or person(s) delegated by him shall have the authority to discipline, through suspensions, any Softball Alberta Member for improper conduct on or off the playing field in relation to Softball Alberta and the game of softball. The suspension request must be verbally submitted to the Softball Alberta office within 72 hours from the date of the incident and followed by a written notice within 10 days.

Softball Alberta (Appeal Process) will then do the following:

1. Send a registered letter to the address of the suspended individual(s) notifying them of the suspension, the letter shall include:
 - a) The reasons for the issued suspension,
 - b) And the right of appeal request procedure for the individual(s):
 - i) A 72 hour notification period to verbally request an appeal of the suspension,
 - ii) The verbal notification is to be followed by a written notification of appeal, a maximum of 21 days from the date of the registered letter. (Note: a written notification of appeal via fax or email is acceptable.)

Failure by the suspended individual(s) to provide either of the above notifications shall result in immediate suspension of the individual(s).
2. Upon meeting the notification guidelines, the President of the Association shall name an Appeal Hearing Tribunal to hear the suspended individual(s). The Appeal Hearing Tribunal shall consist of at least one umpire and one coach, and shall be chaired by an Executive Member of the Association.
3. The Softball Alberta Appeal Hearing Tribunal shall have the complete right to:
 - a) Rescind the suspension,
 - b) Enact the same suspension,
 - c) Increase the suspension,
 - d) Decrease the suspension.
4. The Softball Alberta appeal shall be the final appeal heard on any said case.



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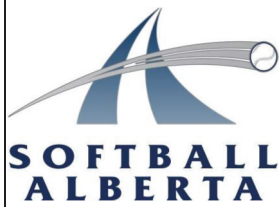
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Leagues / Associations Suspensions

1. Leagues / Associations govern themselves:
 - a) Day to day business, including suspensions, is the responsibility of the League / Association executive. The League / Association must have an Appeal Procedure to ensure that any individual who has been suspended receives an opportunity to plead their case (Local Appeal Process).
2. Suspensions should be treated as the last resort when requesting them to be recognized at a Provincial level. In order for Softball Alberta to honor the suspension(s), they should be used only in cases of a very serious nature:
 - a) Examples include but are not limited to: money mismanagement, abuse of players, managers, coaches or officials, or;
 - b) Conduct extremely detrimental to the game of softball.

Local Appeal Process

- a) League / Association make the ruling and determine the length of the suspension.
 - b) League / Association provide notice to the individual(s) involved that they are being suspended and that they have a right to a hearing by their League / Association. The League / Association must have proof that the individual(s) know of the suspension! (Registered letter or face to face with a witness)
 - c) A League / Association appeal committee is named along with a time/location to hear the appeal.
 - d) If the suspension is upheld after the Local Appeal Hearing, a notice can be sent to Softball Alberta with a request to honor the suspension (if the length of suspension exceeds one month).
 - e) Any individual(s) being suspended MUST BE AN AFFILIATED MEMBER of Softball
3. The Softball Alberta Executive Committee will review the suspension at the next scheduled Executive Committee meeting provided the following is included with the request to honor the local League / Association suspension:
 - a) All documentation leading to and supporting the suspension, along with the length of suspension and “Letter of Suspension”;
 - b) Full name and addresses of suspended individual(s), including phone numbers;
 - c) Proof of Notice to the suspended individual(s) of the suspension and having an opportunity to appeal the decision through an organized appeal hearing at a specific date, location, and time (*held within a reasonable time frame*);
 - d) And, minutes of the appeal hearing held by the League / Association.



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PLEASE NOTE: FAILURE OF THE SUSPENDED INDIVIDUAL(S) TO ATTEND A NOTIFIED HEARING MOVES THE PROCESS TO THE NEXT STEP IN SUSPENSION PROCESS.

(IF ANY OF THE ABOVE IS NOT PROVIDED, SOFTBALL ALBERTA WILL NOT HONOR THE SUSPENSION.)

4. Softball Alberta will then initiate a Notification / Appeal Process as per the Softball Alberta Appeal Process, attaching a copy of the Letter of Suspension by the local League / Association with the notification letter.

Umpire Zone Suspensions

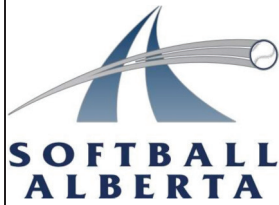
1. Alberta Softball Umpires Association (ASUA) Umpire Zones may only suspend an umpire at the local level.
2. This policy pertains to situations where the Umpire Zone wishes to have the suspension recognized at a Provincial level. In order for Softball Alberta to honor the suspension of an umpire(s), the umpire(s) must be registered with the ASUA and the following process is to be followed:
 - a) The Umpire Zone suspends the umpire(s) for just cause.
 - b) The Umpire Zone follows the Local Appeal Process, as defined above.
 - c) If the suspension is upheld after the Local Appeal Hearing, a notice must be sent to the Umpire-In-Chief (UIC) of Softball Alberta with a request to honor the suspension.

The ASUA (Appeal Process) will then do the following:

1. Send a registered letter to the address(es) provided of the suspended umpire(s), notifying them of the honored suspension; the letter shall include:
 - a) A copy of the Letter of Suspension by the Umpire Zone,
 - b) And the right of appeal request procedure for the umpire(s):
 - i) A 72 hour notification period to verbally request an appeal of the suspension,
 - ii) The verbal notification is to be followed by a written notification of appeal, a maximum of 21 days from the date of the registered letter. (Note: a written notification of appeal via fax or email is acceptable.)

Failure by the suspended umpire(s) to provide either of the above notifications shall result in immediate suspension of the umpire(s).

2. Upon meeting the notification guidelines, the UIC shall name an Appeal Hearing Tribunal to hear the suspended umpire. The Appeal Hearing Tribunal shall consist of representatives from at least two Umpire Zones (apart from the original Umpire Zone) and shall be chaired by a member of the executive of the Alberta Softball Umpires Association.
3. The ASUA shall provide notice of the result of the hearing to the suspended umpire and to Softball Alberta.



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The last right of Appeal will be with Softball Alberta

4. The suspended official has one further appeal available, the last right of appeal shall be with Softball Alberta and the ruling made, shall be final.
5. Upon receiving notification of suspension, Softball Alberta will initiate a Notification / Appeal Process as per the Softball Alberta Appeal Process.
6. If the suspension is upheld, Softball Alberta will (through the ASUA) send a letter to all registered Umpires Zones of the ASUA asking them to honor the suspension(s).

General to all Suspensions

1. For all suspensions greater than one (1) year in length, Softball Alberta will forward a letter to each Provincial /Territorial Softball office affiliated with the Western Canadian Softball Association (WCSA) and to Softball Canada, requesting them to honor the suspension(s). Softball Canada is expected to share these suspensions with those Provinces/Territories not affiliated with the WCSA.
2. Softball Alberta will reciprocate (upon request) by honoring / upholding suspensions issued by all Provinces/Territories affiliated with the WCSA and/or Softball Canada.