



Discipline, Complaints and Dispute Resolution Policy

Definitions

1. The following terms have these meanings in this Policy:

a) “Affected Party” – Any individual or entity, as determined by the Executive, who may be affected by a decision rendered under this Policy and who may have recourse to an appeal in their own right under this Policy.

b) “Complainant” – The Party alleging an infraction

c) “Days” – Days including weekend and holidays

d) “Frivolous” – Having no sound basis in fact or law

e) “Incident” – Matters giving rise to the complaint

f) “Member” - All categories of membership defined in Section 2.1 of the “SRAYS” Constitution and Bylaws as well as all individuals employed by, or engaged in activities with, “SRAYS” including, but not limited to, clubs, athletes, coaches, officials, volunteers, managers, administrators, directors and officers of “SRAYS”, and parents/guardians of athletes

g) “Minor Infractions” – Single incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, “SRAYS”, or the sport of swimming. Examples of minor infractions can include, but are not limited to, a single incident of:

i. Disrespectful, offensive, abusive, racist, or sexist comments or behaviour

ii. Disrespectful conduct such as outbursts of anger or argument

iii. Conduct contrary to the values of “SRAYS”

iv. Being late for, or absent from, “SRAYS” events and activities at which attendance is expected or required

v. Disregard for “SRAYS”’s policies, procedures, rules or regulations

h) “Major Infractions” – Instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to “SRAYS”, or to the sport of swimming.

Examples of major infractions include, but are not limited to:

i. Repeated minor infractions

ii. Any incident of hazing

iii. Incidents of physical abuse

iv. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct

v. Pranks, jokes, or other activities that endanger the safety of others

vi. Conduct that intentionally interferes with a competition or with any athlete’s preparation for a competition

vii. Conduct that intentionally damages “SRAYS”’s image, credibility, or reputation

viii. Non-compliance with “SRAYS”’s bylaws, policies, rules, and regulations

ix. Intentionally damaging “SRAYS” property or improperly handling “SRAYS” monies

x. Abusive use of alcohol or marijuana, any use or possession of alcohol or marijuana by minors, or use or possession of illicit drugs and narcotics

xi. Any possession or use of banned performance enhancing drugs or methods

i) “Parties” – The Complainant, Respondent, Affected Party and “SRAYS”

j) “Respondent” – The alleged infracting Party



k) SRAYS - Strathcona County Swim Club (Also known as SilverRays)

l) “Vexatious” – The act of bringing a complaint without merit, including but not limited to, a complaint solely to harass or subdue a Respondent.

Purpose

Strathcona County Swim Club (also known as the SilverRays or SRAYS) believes in fairness, integrity and open communication. Members and participants are expected to treat all members with respect and abide by the responsibilities and guidelines including, but not limited to complying with Strathcona County Swim Club policies, bylaws, rules and regulations, including the *Code of Conduct and Ethics*. Conduct that violates these values may be subject to sanctions pursuant to this Policy.

Application

This Policy applies to all members, athletes, staff and volunteers and discipline matters which may arise during the course of Strathcona County Swim Club business, activities and events including, but not limited to swim and dryland training, club events, competition, travel associated with Club activities, social media, any meetings and business interactions. Supported complaints, disagreements or challenges must be settled through a fair, peaceful and effective dispute resolution.

This policy must be read within the context of the Club’s mission statement:

To enable recreational and competitive swimmers to attain their highest desired level of achievement by encouraging physical fitness, self development, and sportsmanship in accordance with the rules and policies of the Swim Alberta Association.

General Guidelines

Strathcona County Swim Club encourages all parties to seek a mutually agreed upon resolution.

In such circumstances the Executive of the Board of Directors can act as a mediator working to mutual agreement and resolution. Should a mutually agreed upon resolution not be reached within a reasonable time, the Board of Directors may impose a resolution upon the parties.

The discipline and complaints process is confidential and involves only the Parties, and the Executive of the Board of Directors. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint, to any person not involved in the proceedings.

Reporting a Complaint

Any Member may report any complaint. This complaint must be made in writing with a brief summary of the matter in dispute to any Executive member of the Board of Directors within fourteen (14) days of the alleged incident. This matter will then be brought to the Executive for investigation.

The Executive will determine whether the complaint:



- a) can be settled through a dispute resolution process
- b) is frivolous or vexatious and shall be dismissed
- c) shall be dealt with as a minor infraction
- d) shall be dealt with as a major infraction

A summary of the investigation report will be shared with the parties however the full report will be considered confidential and not shared outside of the Executive of the Board of Directors.

Enforcement:

Minor Infractions:

Disciplinary situations occurring within the jurisdiction of Strathcona County Swim Club shall be dealt with by the appropriate person having authority (this person may include, but is not restricted to, a board member, official, head coach, coach) over the situation and the individual involved. Procedures may be informal and shall be determined at the discretion of the person responsible for discipline in alignment with this policy. The individual being disciplined must be informed of the details of the alleged infractions, and shall have the opportunity to provide information concerning their version of the incident. Disciplinary actions may range from a verbal reprimand to suspension from an activity or any other sanction considered appropriate for the offense. Minor infractions that result in discipline must be documented by the Executive.

Major Infractions:

During competition, disciplinary actions of major infractions will be deferred to the person with the appropriate authority. Further disciplinary actions may be applied by the SRAYS Executive, but only after review of the matter in accordance with the procedures of this policy.

All other disciplinary situations of major infractions occurring within the jurisdiction of Strathcona County Swim Club shall be dealt with by the Head Coach and the Executive until an investigation can be completed. Once an investigation is completed, the Executive will determine the course of action, and the individual being disciplined will be informed of the decision. At this time, the individual will have the opportunity to provide information concerning their version of the incident. Disciplinary actions for a major infraction may range from a written reprimand to expulsion from membership. All steps of the disciplinary process must be documented by the appropriate person with authority and provided to the Executive to maintain the chain of information.

In all cases, every effort will be made to provide a diligent investigation and reasonable resolution to all affected parties within 14 days.

Appeal Process

Upon completion of an investigation, and when the Executive has made a final decision and a written documentation, an appeal can be filed.



Approved:
Strathcona County Swim Club Board of Directors