



# EDMONTON ROWING CLUB

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## Discipline Policy

<b>Policy Title</b>	<b>Discipline Policy</b>
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<b>Approved by and date</b>	<b>ERC Board August 17, 2020</b>
<b>Appendix(-ces) to this policy</b>	<b>A - ERC Incident Report - Conduct</b>
	<b>B - ERC Bylaws Article 4 (2019)</b>

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## Purpose

1. This policy outlines the ERC’s approach to managing situations where a member or participant has or is alleged to have violated the terms of the ERC Code of Conduct.

## Application

2. This policy applies to everyone in the ERC community. This community includes ERC members and participants as defined in the ERC Code of Conduct. It also includes individuals who have purchased a membership but are not currently in good standing, coaches, volunteers, staff, parents, spectators and contractors. This policy applies to conduct at and in relation to all ERC events, competitions, programs, activities and promotional events.

## Policy Statement

3. The ERC may apply disciplinary measures, up to and including suspension of or expulsion from membership, to an individual who has behaved in a manner contrary to the Code of Conduct.
4. Where the behaviour or alleged behaviour under review constitutes Abuse, Bullying, or Harassment, the processes and procedures and procedures outlined in the ERC Prevention of Abuse, Bullying, and Harassment Policy shall apply. [insert hyperlink]

## Definitions

5. **A.B.H.** means Abuse, Bullying, or Harassment.
6. **Expulsion** means the revocation of membership in the ERC.
7. **Infraction** means a violation of the code of conduct.
8. **Member** means a member in good standing of the ERC, as defined in the Code of Conduct.
9. **Participant** means an individual who is registered in a non-membership program at the ERC, as defined in the Code of Conduct.
10. **Suspension** means the temporary restriction of or removal of some or all of the privileges of membership, for a duration determined at the time of the suspension.

## Responsibilities

11. Individuals who wish to report that they have experienced or witnessed events or behaviours that violate the Code of Conduct are responsible to complete and submit the confidential ERC Incident Report - Conduct.
12. The ERC Executive Committee (Executive), composed of the President, Vice-President, Treasurer, and Secretary, is responsible to review complaints or reports of behaviours that violate the Code of Conduct. The Executive may appoint an ad hoc Disciplinary Committee of up to 3 members to review such reports on its behalf. The Executive must appoint at least 2 members of the ERC board to the Disciplinary Committee. An additional member can be drawn from the broader ERC community or third-party subject matter experts.
13. The Executive or the Disciplinary Committee, as relevant, shall report their findings and recommendations to the Board of Directors (Board).
14. The Executive shall establish procedures to ensure that members who are being considered for suspension or expulsion receive proper notice of the review and are advised of their rights and obligations provided for in the bylaws.
15. The Board is responsible to recommend expulsion of a member when it has determined that circumstances warrant this action. See Article 4.3 in the ERC Bylaws.
16. The board is responsible to authorize suspension of any or all of a member's privileges.
17. The Board may delegate to a director, staff member, or coach the authority to immediately restrict participation privileges of individuals in the ERC community on a short-term basis in order to immediately stop behaviours that endanger the health, safety, or reputation of the ERC or any individual in the ERC community. As an example, a coach could decline to boat an athlete for a scheduled race at an away regatta if the athlete has is known to have engaged in dangerous or illegal behavior while travelling to the event.
18. If the Board's delegate exercises their discretion to restrict privileges under Article 17, the delegate must submit to the Executive, within 3 days of implementing the discipline, a written report of the incident and the actions taken. The Executive will determine what, if any, further investigation should be implemented under the terms of this policy.
19. ERC members are responsible to consider, at a general meeting of the membership, the Board's recommendation to expel a member, and to approve or deny that recommendation. See Article 4.3 in the ERC Bylaws.
20. The [Secretary](#) shall maintain in secure and confidential storage the records of any Incident Reports (Conduct), as well as of deliberations, decisions made, and communications between the complainant and the subject of the report.

## Infractions

21. There are 2 categories of infraction – minor and major.
22. Minor infraction generally means a single incident of non-conformity to the Code of Conduct which does not result in harm to other persons, to the sport of rowing, or to the ERC's reputation.
23. Examples of minor infractions include but are not limited to:

- Failure to pay dues when required;
- Single instance of unsportsmanlike conduct or disrespectful comments or behaviour towards others;
- Single instance of non-compliance with ERC bylaws, policies, procedures, or regulations.
- Major infraction generally means an incident or incidents of non-conformity to the ERC Code of Conduct that results, or has the potential to result in, harm to other persons, the sport of rowing, or to the ERC.

24. Examples of major infractions include but are not limited to:

- Repeated minor infractions that cumulatively indicate a disregard for the ERC Code of Conduct;
- Intentional damage to ERC property;
- Improper handling of ERC funds;
- Pranks, jokes, or other activities including hazing that endanger the safety of others;
- Deliberate disregard for ERC bylaws, policies, procedures, or regulations;
- Conduct that intentionally damages the image, credibility, or reputation of the ERC;
- Harassment behaviour, including sexual harassment and sexual misconduct;
- Abusive behaviour toward another person, whether that behaviour is physical, mental, or verbal;
- Abusive use of alcohol and legal or illegal drugs and narcotics, including performance enhancing drugs;
- Any use of alcohol or non-prescription drugs by minors;
- Any substantiated infraction by a member of the Board of Directors.

## Process

25. Anyone in the ERC community may report an alleged infraction.
26. In general, reports must be made to the ERC. There is an exception to this rule if an individual is experiencing or is aware of incidents of A.B.H., or discrimination. In this situation the individual has the option to report through an independent third party appointed by [Rowing Canada Aviron](#). Refer to the ERC Safe Sport Policy [insert hyperlink] and the ERC Policy for Prevention of A.B.H. [insert hyperlink] for further details on this process and for procedures specific to reporting A.B.H.
27. Reports to the ERC must be made in writing, using the ERC Incident Report - Conduct, and emailed or delivered to the [Secretary](#) and/or the [Vice-President](#). Reports must be made within 14 days of the event that gave rise to the complaint. If more than 14 days have passed, the complainant must explain the reason for delay and the Executive will determine whether to review the report.
28. On receiving an incident report, the Executive will determine whether the alleged actions constitute a minor or major infraction.
29. The Executive will inform the individual of the nature of complaint made against them within 14 days of receiving the complaint.

30. The individual may make written submissions disputing the infraction, and the Executive or Committee will take these submissions into account when making their deliberations.
31. In the case of a minor infraction, the Executive or the Committee will complete their review within 30 days from the date the complaint was filed and will advise the individual by email of the decision and any discipline to be imposed.
32. The individual may challenge the decision by contacting the decision-maker in writing within 7 days of the date the decision was sent. This challenge can be made only once. The decision-maker will consider the challenge and confirm, reverse, or amend its decision and the related disciplinary measures. The decision-maker will complete this review within 14 days of the date the challenge was received.
33. In cases where circumstances prevent one party from meeting one of the stated deadlines, they may contact the other party to advise of the delay and to request an extension. The other party shall agree to the extension provided the reasons for the request are reasonable.
34. In the case of a major infraction, the Executive or the Disciplinary Committee will review the case and will prepare a report for the Board of Directors detailing their findings and any disciplinary recommendations.
35. Where disciplinary measures include suspension or proposed expulsion of a member, the notification and appeal procedures set out in Article 4 of the ERC bylaws (2019) shall be followed.

## **Disciplinary Sanctions**

36. Sanctions for minor infractions may include:
  - verbal or written warning;
  - request for a written apology;
  - removal of certain privileges for a designated period of time;
  - removal from the current activity or competition;
  - other sanctions appropriate to the nature of the infraction.
37. Sanctions for major infractions may include:
  - verbal or written warning;
  - removal of some or all membership privileges for a fixed or indeterminate period;
  - suspension from certain events, which may include a single competition, an entire competition season, or future specific events;
  - expulsion from membership;
  - other sanctions appropriate to the circumstances of the infraction.

## **Criminal Convictions**

38. Any member or participant convicted of any of the following Criminal Code offenses has committed a major infraction under this policy and will be barred from participating in ERC programs, competitions, activities, and events:

- Child pornography offenses;
- Any sexual offense involving a minor
- Any assault offense involving a minor
- Any physical or psychological offense involving a minor;
- Any offense involving trafficking of illegal drugs, or substances listed on the [World Anti-Doping Agency \(WADA\) Prohibited List](#).

## References

39. ERC Bylaws (amended 2019) Article 4
40. ERC Code of Conduct
41. ERC Incident Report – Conduct
42. ERC Policy for the Prevention of Abuse, Bullying, and Harassment

## Questions

43. If you have questions about this policy, please contact the [President](#) or the [Vice-President](#).

## Appendix A

ERC Incident Report – Conduct [insert hyperlink]

## Appendix B

ERC Bylaws (2019) – Article 4

### ARTICLE 4 WITHDRAWAL, TERMINATION OR SUSPENSION OF MEMBERSHIP

- 4.1. Any member who desires to withdraw from membership in the Club may do so by notifying the Board in writing. The member shall cease to be a member at the later of the date when the Board receives the member’s notice of withdrawal or the date when the member has settled all outstanding debts, liabilities, or fines owed the Club and has returned all Club property. The Club shall notify the individual of the date when their membership ceased.
- 4.2. The Club retains the right to terminate the membership of any of its members for just cause or for activities prejudicial to the good name or purposes and objects of the Club.
- 4.3. Members may only be expelled by resolution of an annual general or special general meeting. The Club President or the Club Secretary must give written notice to any member being considered for expulsion. This notice must be delivered to the affected member at least one week before the

relevant general meeting. The notice must inform the member of the allegations made against the member, and of the intended resolution for their expulsion. The member shall be entitled to address the membership in attendance at the relevant general meeting before the matter is decided. A member expelled under this bylaw shall forfeit all right in any claim upon the Club and its property.

- 4.4. A member who has been expelled under this bylaw may apply once per year for readmission to the Club on or after the first day of each membership year following the date of expulsion. Such readmission request must be made in writing and delivered to the President of the Club or the Secretary of the Club at least one month prior to the requested readmission date. The Board shall consider the request at the next Board meeting and may approve or deny the request. The Secretary shall give the expelled member written notice of the Board's decision on the readmission request.
- 4.5. The Board may suspend any or all membership privileges of a member of the Club for reasonable cause. Without restricting the generality of the foregoing, privileges liable to suspension may include use of or access to any or all Club facilities and equipment, and the right to compete as a member of the Club. The Club President or the Club Secretary must give written notice to any member being considered for suspension. This notice must be delivered to the affected member at least one week before the Board meeting at which the proposed suspension will be considered. This notice must inform the member of the particulars of the conduct on which the complaint is based. The member shall be entitled to address the Board before the matter is decided.
- 4.6 A member of the Club who has been suspended pursuant to Article 4.5 may apply to the Board to have their membership privileges reinstated. Such reinstatement request must be made in writing and delivered to the President of the Club or the Secretary of the Club at least one week prior to the requested reinstatement date. The Board shall consider the request at the next board meeting, and may continue, modify, or lift the suspension at its sole discretion. The Secretary shall give the member written notice of the Board's decision on the reinstatement request.

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