



ALBERTA FEDERATION OF SHOOTING SPORTS

POLICIES AND PROCEDURES

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HARASSMENT POLICY

1.0 Terms of Reference

Alberta Federation of Shooting Sports is committed to fostering a sports environment conducive to learning, development, performance advancement and, most of all, enjoyment. Everyone has the right to be treated with dignity, courtesy and respect.

AFSS takes a “Zero Tolerance” position on any form of harassment on the basis of race, ancestry, place of origin, color, ethnic origin, citizenship, religion, sex, sexual orientation, disability, age, marital/family status or record of offence. Harassment creates stress that can endanger an individual’s morale, performance and overall health. It can arouse frustration and anger, creating an atmosphere that gives rise to other forms of discrimination and possible reprisal, thereby undermining the many advantages and pleasures of sports.

All athletes, coaches, team managers, officials, AFSS Board members, committee members, staff and volunteers have a shared responsibility to understand harassment and its ramifications. All have a duty to ensure all reasonable steps are taken to create and maintain a harassment-free sports environment.

2.0 Definitions

2.1 Harassment:

Harassment is the behavior, conduct, comments or expression (written, oral or through body expression) that is intimidating, insulting, humiliating, hurtful, malicious, degrading, or otherwise causes offense or discomfort to another individual or group of individuals. Harassment includes, but is not necessarily limited to:

- Written or verbal abuse
- Threats
- Racial or ethnic slurs
- Unwelcome remarks, jokes or innuendos
- Taunting
- Physical assault
- Unwelcome/uninvited physical contact of any kind (kissing, touching, patting, pinching, poking, etc.)
- Negative comments about one’s appearance, attire, cultural uniqueness, age, marital status, religion, ethnicity or religious background.
- Unwelcome sexual remarks, invitations or requests (whether indirect or explicit)
- Intimidation
- Practical jokes that cause that cause awkwardness or embarrassment, endanger an individual’s safety or negatively affect performance
- Leering
- Obscene gestures
- Gossip
- Patronizing behavior that that undermines self-respect or affects performance
- Sexual, racial, ethnic or religious graffiti
- Theft, interference or manipulation of another’s property or possessions

2.2 Sexual Harassment:

Sexual harassment refers to persistent and unwanted sexual advances where the consequences of refusing are potentially harmful, unfavorable, limiting or otherwise disadvantageous to the victim. There are three types of sexual harassment:

2.2.1 Unwelcome Behavior

Unwelcome behavior is the most prevalent form of sexual harassment. It includes:

- 1) Inappropriate sexual comments about a person's body or appearance
- 2) Use of inappropriate or derogatory sexual terms
- 3) Enquiries or comments about an individual's sex life, sexual preferences or sexual habits
- 4) Sexual or sexist graffiti
- 5) Spreading rumors about an individual's sex life, sexual preferences or sexual habits
- 6) Unwanted touching, patting or leering

2.2.2 Sexual Advance

A sexual advance is when any person in a position of authority makes unwanted sexual advances or requests for sexual relations.

2.2.3 Reprisal

A sexual reprisal occurs when any person in a position of authority threatens to use or uses that authority to retaliate against an individual who has rejected his or her sexual advance. One example might be dropping an individual from a team because that individual refused a proposition

2.3 Racial Harassment

The most common forms of racial harassment are racial slurs, jokes or name calling based on race, place of origin, color, ethnic origin or religion. Examples include:

- 1) Use of terminology that reinforces stereotypes
- 2) Racial, ethnic or religious jokes
- 3) Use of racially derogatory nicknames
- 4) Making "fun" of individuals or discounting their abilities because of their racial or ethnic origin
- 5) Racist, ethnic or religious graffiti or the display of racist material

2.4 Unintentional Harassment

While intentional behavior stems from hatred, fear, desire or bias, unintentional harassment often stems from ignorance, a lack of awareness or carelessness. In other words, there is an absence of intent. However it is still harassment.

2.5 Online Harassment

Online harassment has a number of other names such as “cyber bullying” or “cyber stalking” and is conducted through the use of a computer and access to the Internet/social media. Online harassment refers to:

- Direct communication through email
- Internet harassment, where the offender publishes offensive or threatening information about the victim on the Internet or through social media
- The publishing or sending of intimate, provocative or sexual pictures or photos of an individual, regardless of whether such pictures were taken consensually
- Efforts through social media to instill anger or hate toward an individual from others on social media
- Unauthorized use, control or sabotage of the victim’s computer.

Cyber bullying includes the delivery of threatening or harassing messages through one or more of the following:

- 1) Email
- 2) Facebook
- 3) Chat rooms
- 4) Message boards
- 5) Newsgroups
- 6) Forums
- 7) Inappropriate electronic greeting cards
- 8) Posting personal advertisements in the victim’s name
- 9) Sending viruses to the victim’s computer
- 10) The use of spy-ware
- 11) The creation of threatening or harassing websites

2.6 Poisoned Sports Environment

A poisoned sports environment constitutes harassment, regardless of whether individuals complain. As with other forms of harassment a poisoned sports environment denigrates an individual’s race, ethnic background, origin, sex, sexual preference, age, religion, marital status or record of offence. Contributing to a poisoned sports environment can occur at:

- 1) Sporting events and competitions
- 2) Training sessions and workshops
- 3) Sport-related travel
- 4) Over the telephone
- 5) At the organization’s business or social functions
- 6) Meetings and conferences
- 7) Anywhere a person happens to be as a result of sport-related relationships or responsibilities.

3.0 Responsibility

3.1 Responsibility of Individuals

It is the responsibility of every athlete, coach, team manager, official, AFSS Board member, committee member, staff and volunteer to act in an appropriate, friendly, collaborative and supportive manner while exhibiting good sportsmanship and being a good role model on behalf of AFSS.

It is the responsibility of all athletes, coaches, team managers, officials, AFSS Board members, committee members, staff members and volunteers to report to the AFSS Membership Support Officer any instance of being harassed, or feeling intimidated or threatened by another. Although this may not be easy, members should be assured that all reports are handled in confidence and with extreme care.

It is also the responsibility of everyone to report to the Membership Support Officer any instances of harassment or mistreatment of another individual, whether or not the supposed victim chooses to report the incident.

The most effective way to address these sorts of situations is to stop them early, before they become serious, through the awareness and commitment of everyone associated with AFSS.

3.2 Responsibility of Those in Authority

Prevention and intervention are key to creating and maintaining a positive sporting environment. Coaches, trainers and officials are cornerstones to making this happen through their exercise of good judgement and concern for others. It is their responsibility to be observant and to act appropriately if they become aware that discrimination or harassment has occurred.

They should discretely follow up with the Membership Support Officer if any sort of mistreatment or discrimination has occurred, or if harassment is even suspected or rumored, appreciating that victims are often reluctant to report it themselves.

3.3 Responsibility of the Board

The Board is responsible for supporting and assisting any AFSS athlete, coach, team manager, official, AFSS Board member, committee member, staff or volunteer who experiences harassment or discrimination. This includes, but is not limited to:

- a) Appointing a Hearing Panel to ensure that investigation of formal complaints is conducted in a sensitive, responsible and timely manner
- b) Establishing a comprehensive complaints procedure that is fair, effective and easily followed by the parties involved
- c) Appointing an Appeal Board to hear appeals when appeals are warranted
- d) Establishing an appeal procedure that is fair, effective and easily followed by the parties involved
- e) Appointing a Membership Support Officer to receive complaints and gather information in a sensitive, impartial and confidential manner, and to administrate the case throughout the complaints and appeal processes
- f) Establishing a discipline or corrective measures policy that clearly indicates the corrective action to be taken for specific infractions and ensuring that it applies to everyone associated with AFSS, regardless of the position or authority of the offender
- g) Maintaining confidential records of complaints and the actions taken in each case for whatever length of time deemed appropriate by the Board
- h) Ensuring that the Harassment Policy is posted on the web-site and that the information is contained in a Handbook

4.0 Confidentiality

AFSS realizes that it can be extremely difficult to come forward with a harassment complaint against another person. AFSS also understands it can be devastating to be wrongly accused or adjudicated of harassment. Therefore, in the interest of both the complainant and the respondent, AFSS shall not disclose the names of the complainant or the respondent, or the circumstances giving rise to a complaint unless disciplinary or other remedial procedures require such disclosures, or unless required under the law.

CONFLICT OF INTEREST POLICY

1.0 Terms of Reference

1.1 Alberta Federation of Shooting Sports is dedicated to the conduct of good business and to the absence of all conflicts of interest or appearances of conflicts of interest without disclosure. AFSS policy prohibits:

- a) Acting on Behalf of AFSS or dealing with AFSS in any matter where he or she is in a conflict of interest or appears to be in a conflict of interest
- b) Using one's position, office or affiliation with AFSS to pursue or advance personal interests
- c) Using one's position, office or affiliation with AFSS to pursue or advance the interests of a close friend, family member, business associate, corporation or partnership where one holds significant interest or a person to whom an obligation is owed
- d) Personally benefiting from any business activity involving AFSS
- e) Benefiting a close friend, family member, business associate, corporation or partnership where one holds significant interest or a person to whom an obligation is owed.
- f) Indirectly benefiting from any business activity involving AFSS.

A conflict of interest does not imply wrong-doing of any kind. Everyone of course has interests outside of AFSS and, upon occasion, those interests may conflict. It is failure NOT to report a conflict of interest or potential conflict of interest that is wrong.

1.2 All athletes, coaches, team managers, officials, AFSS Board members, committee members, staff and volunteers must immediately disclose a conflict of interest to the Board of Directors meeting. If an individual is not aware of the conflict until after a matter is concluded, he or she must still make the disclosure as soon as possible.

1.3 Upon full disclosure of possible conflicts of interest or the potential appearance of conflict of interest, the Board may, in its discretion, authorize an individual to carry out AFSS business or represent AFSS in unique situations. Responsibility for such transactions or representation rests solely with the Board.

2.0 Definitions

2.1 Conflict of Interest

A "conflict of interest" is any situation where one's personal interests or the interests of a close friend, family member, business associate, corporation or partnership in which one holds significant interest, or a person to whom one owes an obligation could influence his or her decisions or could impair his or her ability to

- a) Act in the best interests of AFSS, or
- b) Represent AFSS fairly, impartially, without bias and with dignity.

It is important to note that a conflict of interest exists if a decision could be influenced – it is not necessary that influence actually takes place.

2.2 “Appearance” of Conflict of Interest

The appearance of conflict of interest occurs when a reasonably well informed person could have a reasonable perception that someone is making decisions on behalf of AFSS that promote his or her interests or the interests of anyone identified in point “c” of 1.1

2.3 Indirect Benefit

An indirect benefit is

- a) A benefit derived by a close friend, family member, business associate, or a corporation or partnership in which you hold a significant interest, or a person to whom an obligation is owed, or
- b) A benefit which advances or protects one’s interests, although it may not be measurable in money.

3.0 Resolving Conflicts of Interest

3.1 Declaring a Conflict of Interest

As stated above, being in a conflict of interest does **not** imply wrong-doing. Most conflicts of interest are resolved with the mere declaration and acceptance of the Board’s decision on how to move forward appropriately. If someone is in doubt about whether a conflict of interest exists, he or she must request the advice of the Board or the Membership Support Officer, who will be pleased to research the matter on any member’s behalf.

3.2 Board Action

Anyone found to be in a conflict of interest will merely be precluded from making decisions or taking part in AFSS transactions directly related to the issue. Once the conflict of interest has passed, that person will resume his or her normal duties and/or decision making responsibilities.

Anyone found to be in a conflict of interest will be excused from that portion of a Board meeting where the matter giving rise to the conflict of interest is being discussed. That person shall also refrain from discussion of the matter elsewhere.

Where a Board member is found to be in a conflict of interest, he or she shall be excused from that part of the Board meeting where the matter giving rise to the conflict of interest is being discussed. The Board member shall refrain from voting on the matter giving rise to the conflict of interest, but may return to the meeting when the subject has been dealt with by the Board and may vote on all other issues to be addressed by the Board.

3.3 AFSS Property and Trade Information

Property owned by Alberta Federation of Shooting Sports is private property. Alberta Federation of Shooting Sports Information is proprietary. It is information acquired solely by reason of involvement with AFSS and which AFSS is under obligation to keep confidential.

3.3.1 Board authorization is required for

- a) personal use of AFSS property
- b) the purchase of AFSS property unless it is through channels of disposition equally available to the public. Authorization is still required if an individual is involved in any aspect of the sale.

3.3.2 No one may take personal advantage of an opportunity available to AFSS unless

- a) it is clear that AAFS has irrevocably decided against pursuing the opportunity and
- b) the opportunity is equally available to members of the public.

3.3.3 No one may use his or her position with AFSS to solicit any AFSS stakeholders for personal business or one operated by a close friend, family member, business associate, or a corporation or partnership where significant interest is held, or a person to whom an obligation is owed. However this duty does not preclude transacting business with other people connected with AFSS.

3.3.4 The use of Alberta Federation of Shooting Sports information is only for AFSS purposes.

3.3.5 AFSS information must not be used for personal benefit or for the benefit of a close friend, family member, business associate, or corporation or partnership in which significant interest is held, or a person to whom an obligation is owed.

3.3.6 AFSS information must be protected from improper disclosure at all times.

3.3.7 Any incident of abuse of AAFS information must be reported to the Board.

3.3.8 AFSS information may only be divulged by:

- a) someone authorized by the Board
- b) a designated spokesperson
- c) a person or agency that has a lawful right to the information.

3.4 Gifts

3.4.1 A gift may be made because of one's involvement with AFSS only if:

- a) the gift has no more than token value
- b) it is the normal exchange of hospitality or a customary gesture of courtesy between persons doing business together
- c) the exchange is lawful and in accordance with local ethical practice and standards, and
- d) the gift could not be construed by an impartial observer as a bribe, pay-off or improper or illegal payment.

3.4.2 AFSS property may not be used to make a gift, charitable donation or political contribution to anyone on behalf of AFSS. Any gift must have the authorization of the Board of Directors or a person the Board designates.

3.5 Coach/Athlete Sexual Relations

Sexual relations between AFSS coaches and adult athletes, while not illegal, may have harmful effects on the individual athlete involved, on other athletes and coaches and on AFSS's public image. AFSS therefore takes the position that such relationships are unacceptable and constitute a conflict of interest. Should a sexual relationship develop between an athlete and a coach, AFSS will investigate and may take action if appropriate and if needed.

PRIVACY POLICY

1.0 Terms of Reference

As of January 1, 2004 the law requires organizations such as Alberta Federation of Shooting Sports (AFSS) to have a privacy policy for all members and stakeholders and to obtain their consent prior to using personal information as described in this policy. AFSS privacy policy applies to:

- Association Officers
- Athletes
- Team Coaches
- Officials
- Match Directors
- Suppliers and Service Providers
- AFSS Partner Associations

All personal information collected by AFSS will be collected from persons directly and not through third parties. It will be collected with those persons' consent and with their knowledge of how that information will be used.

AFSS protects the confidentiality of all personal information and allows everyone access to their respective personal information AFSS has on file.

2.0 Information Collected

- a) Name
- b) Address
- c) Phone Number
- d) Email (Points "a" through "d" enable AFSS to communicate with members and deliver services for which they became members.)
- e) Birth Date (This further identifies those with similar names, identifies competing eligibility and provides demographic information to government funders and sponsors.)
- f) Years of Shooting Experience (This information determines the tiering of air pistol and air rifle teams.)
- g) Personal Health Care (Alberta Health Care) Number (Required for athletes and recommended for team staff and officials in case of medical emergency)
- h) Emergency Contact (An emergency contact is part of a proper risk management and safety program.)
- i) Certification Number (Members' certification numbers are required to determine persons' eligibility to participate as a team members, coaches, staff or officials.)
- j) Parents' Names (AFSS recommends that "youth" athletes include their parents' names as contacts with their personal information.)

3.0 Information Released

3.1 When

AFSS may release personal information:

- a) When it has the person's consent (Consent is never "implied")
- b) Where the other parties are AFFS partners who assist in delivering services (for example: names to be included on awards)
- c) Where AFSS is required or permitted to do so by law (valid legal enquiries, search warrants, collection of debt to AFSS, breaches of agreement or contravention of law.)

3.2 To Whom

AFSS shares personal information to its partners for the sole purpose of delivering services within its shooting member associations which includes:

- Shooting Federation of Canada
- Alberta Sporting Clays Association
- Alberta Handgun Association
- Alberta Metallic Silhouette Association
- Alberta Smallbore Rifle Association
- Alberta International Skeet Association
- Alberta International Practical Shooting Confederation
- Alberta Black Powder Association
- Alberta Frontier Shootist Society
- Alberta International Style Trapshooting Association
- Alberta Provincial Rifle Association
- Alberta Skeet Shooting Association
- Alberta Sport Connection

AFSS may, from time to time, send text-based messages that contain information about training, high performance shooting clinics, coaching clinics and other funding opportunities that are members of AFSS. However such information is sent to AFSS members themselves, and not to event organizers. AFSS does not release contact information to event organizers.

4.0 Information Protected

4.1 Electronic: AFSS has thorough and reliable security standards to protect its systems against unauthorized access and use.

4.2 Restrictions: Neither AFFS volunteers nor Provincial Association volunteers have access to personal information, nor should they ask for it.

4.3 Screening: When AFSS provides personal information in response to a legal order, it ensures the order is valid and provides only the information that is legally required.

4.4 Accuracy: While AFSS employees may from time to time contact members to verify personal information, it is each person's responsibility to updated and keep accurate his or her files by informing AFSS of any address, phone number, email or membership status.

- 4.5 Longevity: AFSS retains personal information for only as long as is required for the reasons it was collected. It is held until it can be reasonably concluded that members do not intend to return to the sport and/or for as long as necessary to conclude any outstanding issues.
- 4.6 Access: Members may have access to their information or personal files at any time by contacting the AFSS office. The only restriction is that AFSS may not be able to provide information from records containing references to other persons that are subject to legal privilege, confidentiality policy, an investigation of a complaint, breach of agreement, contravention of law or that is proprietary to AFSS.
- 4.7 Consent: Members have the right to refuse consent of revealing information to external partners and stakeholders, or refuse consent for AFSS to include them in periodic email information messages. However, once members have engaged in an activity or assessed a product or service, they may not withdraw consent to receive information related to said product, service or activity.
- 4.8 Concerns: Anyone with concerns, questions, or problems about privacy or confidentiality are welcome to contact the AFSS office. For more information on the Government of Canada's privacy legislation persons may also access http://www.privcom.gc.ca/legislation/index_e.asp

DISPUTE RESOLUTION POLICY

1.0 Terms of Reference

1.1 Code of Conduct:

Membership in the Alberta Federation of Shooting Sports (AFSS) offers many benefits and privileges that come at a price of certain responsibilities. These responsibilities include good personal and professional conduct, moral integrity, adherence to AFSS policies and the portrayal of upstanding character that reflects well on AFSS.

Members are expected to comply with AFSS bylaws, rules and policies. Members are expected to fulfill contracts and agreements they have entered into and abide by all AFSS decisions that affect them. Members are expected to treat others with respect and courtesy. Members are expected to treat one another fairly and to promote the advancement of others, as well as themselves.

1.2 Issues / Grievances / Complaints:

Notwithstanding members' legitimate and conscientious efforts to be supportive of AFSS and each other, incidents will inevitably arise. Incidents can arise between members and/or coaches, and/or officials, and/or teammates and/or competitors and/or Board members, and/or volunteers and/or staff. This policy pertains to all matters of dispute except those involving Board and staff members. (Board and staff member issues are dealt within an external neutral forum.)

This policy reflects the AFSS commitment to treat all members fairly and with respect and complies with Sport Canada's mandated requirements. This policy encompasses an integrated process that provides sufficient internal options and external alternatives to ensure that disputes can be resolved in a fair, equitable and timely manner in accordance with the principles of natural justice and procedural fairness.

2.0 Definitions

For purposes of this policy the following definitions apply:

- Member: A representative member, athlete, coach, trainer, official, sport administrator, volunteer Board member or other members assisting or supporting AFSS.
- Complainant: A person who reports a complaint and is seeking redress.
- Respondent: The person or body which is the subject of a complaint or whose decision is being appealed.
- Appellant: The person who is appealing a Hearing Panel decision
- Days: in the context of time in which an action must be complete, this refers to the total number of calendar days irrespective of weekends or holidays.
- Query: A question asked of AFSS seeking clarification on its Code of Conduct, violation of ethical behavior, anti-doping rules, harassment, privacy or any matter involving AFSS that may warrant the imposition of a sanction or penalty. A query is not a complaint, but may in some cases be a prelude to filing a complaint upon clarification.
- Complaint: the formal filing of a grievance or objection to conduct, behavior, practice, principles or actions of another person or body against oneself or against an alleged third-party victim.

- Hearing: The formal investigation and review of a formal complaint, which includes considering evidence from the complainant, the respondent, witnesses or appropriate expert testimony, as well as deliberating and ruling on the dispute.

3.0 Purpose

The purpose of this Dispute Resolution Policy is to establish the internal mechanisms and procedures for resolving internal disputes between members or against the Board. This includes the creation of a Hearing Panel to conduct hearings on complaints made to AFSS regarding the alleged offence by one or more of its members. This policy creates a Member Support Officer who acts as the intake person and preliminary reviewer for filing complaints. These mechanisms and procedures also provide recourse to members who may have valid grounds to appeal certain decisions made by the Hearing Panel. Finally, this policy puts into place alternative external avenues of dispute resolution in cases where internal procedures are either inadequate or inappropriate.

4.0 Dispute Resolution and Complaint Process

4.1 Filing a Complaint

AFSS members are within their rights to file a complaint through the Membership Support Officer. Complaints must be in writing and include the following information:

- Complainant's name, telephone number and email address
- Best contact number and time when Complainant can be reached
- A description of the incident, conduct, attitude or behavior being disputed, as well as time(s) and location(s) of infraction.
- The name of the person the Complainant alleges has committed the infraction (Respondent)
- The names of any witnesses to the alleged infraction
- Any documentation that supports the complaint.

4.2 Screening / Preliminary Investigation

Within a maximum of seven (7) days of receiving the written complaint the Membership Support Officer will have notified the Respondent that a complaint has been filed against him or her, giving the Respondent the opportunity to also submit documents, a list of witnesses and a response to the complaint. Within the seven days the Membership Support Officer will have completed a preliminary review of the matter, which may include some or all of: preliminary conversations with the Respondent, review of documentation, further questions of the Complainant, and review of AFSS policies, rules and regulations.

Upon compiling the information and documentation, the Membership Support Officer will submit the materials and a brief summary to the Chair of the AFSS Hearing Panel. The Membership Support Officer shall not make recommendations or express personal opinions as to the guilt or innocence of any party. Within five (5) days of receiving the written complaint, preliminary evidence and summary, the Hearing Panel Chair will determine whether the circumstances warrant a hearing, or whether other remedial action is more appropriate.

If the Chair deems a hearing is not warranted, the Membership Support Officer will inform the Complainant and the Respondent, offering other possible remedies such as (but not be limited to):

- an informal meeting between the parties
- a facilitated meeting between the parties with the Membership Support Officer acting as facilitator
- a facilitated meeting between the parties with a single member of the Hearing Panel acting as facilitator
- the use of an outside neutral mediator
- other possible options that may be appropriate to resolve the dispute.

If the Chair is satisfied the complaint warrants a hearing, then within fourteen (14) days the Chair will call an administrative meeting of the Hearing Panel. **Determination that a hearing is required does not imply wrongdoing by anyone!** It simply means the matter at hand warrants further and more formal review.

4.3 Administrative Meeting

At the administrative meeting of the Hearing Panel the Panel shall determine:

- the date, time and place of the hearing,
- whether the hearing can/should be by teleconference or videoconference
- deadlines for exchanging and filing any written materials that have not yet been submitted
- whether further clarification of the issues is required
- whether clarification of the evidence to be presented is required
- the order and procedure of the hearing
- the identification of witnesses
- procedural matters that may assist in expediting the hearing.

Each party will ensure that information is sent to the Hearing Panel through the Membership Support Officer, the other party and to all other persons participating in the hearing. Until the hearing begins, all communication between the parties and the Hearing Panel members shall be through the Membership Support Officer.

4.4 Hearing Panel

The Hearing Panel shall be comprised of the Chair and two Panel members. The position of "Chair" will be filled by the immediate Past President of AFSS. The other two Hearing Panel members will be AFSS members appointed by the Chair who have no significant relationship with the affected parties, no involvement with the complaint or dispute, and be free of any other actual or perceived bias.

The Hearing Panel shall consist of at least one female member and one male member to ensure gender balance. No person on the panel may be the Complainant, Respondent or investigator in the dispute, and no person on the Hearing Panel shall have a personal interest in the outcome.

At the discretion of the Chair, the Hearing Panel may be increased to five (5) members in special circumstances, depending upon the seriousness of the issue and/or the possible impact of the Panel's decision. The prime consideration will be to adhere to the principles of natural justice and provide procedural fairness to all parties. The decision regarding size of the Hearing Panel is at the Chair's sole discretion and cannot be appealed.

While Hearing Panel members other than the Chair are asked to serve on a case by case basis, the Chair may select an Ad Hoc roster of up to five (5) persons from which the Chair may draw Panel members.

4.5 Hearing Panel Powers

The role of the hearing panel is to conduct hearings and determine whether certain incidents or conduct occurred, as well as appropriate courses of action in relation to complaints brought before it. This includes possible disciplinary actions.

The Hearing Panel does not determine the legal guilt or innocence of any party and is not bound to observe strict legal procedures. This does not invalidate the proceedings.

The Hearing Panel will not handle grievances:

- between AFSS Directors
- against an AFSS employee when acting in the course of his/her employment
- between AFSS and its employees
- regarding provincial team selections
- regarding administrative decisions made by AFSS
- regarding the validity or appropriateness of AFSS policies, rules and procedures
- made pursuant to any agreement between AFSS and another individual that does not involve a disciplinary offence.

The Hearing Panel will not interfere in, become involved with, or run parallel action to any legal or criminal proceedings resulting from an incident or resulting charges being laid. AFSS will cooperate with the authorities in providing information required by law and will accept any decisions, verdicts or corrective measures imposed by the appropriate legal authorities.

4.5.1 Investigation

Depending upon the nature of a complaint, the Chair may appoint an independent individual to conduct an investigation in order to confirm the background and context of the complaint and to ascertain the facts. If an investigation is ordered, the investigator shall carry out the task in a timely manner and submit a written report to the Chair.

4.5.2 Evidence

The Hearing Panel shall consider any evidence that is relevant to the dispute. Normal rules of evidence will be relaxed to ensure each party has the opportunity to present his/her case in full. The Panel has the authority to consider hearsay evidence; but such evidence shall be weighted accordingly.

4.5.3 Timelines

If the circumstances of a complaint do not allow a timely resolution under the process herein, the Chair or the Panel as a whole has the authority to revise the timelines with the premise that resolution is the ultimate goal.

4.5.4 Jurisdiction

This process shall be governed in accordance with the laws of the Province of Alberta.

4.6 The Hearing

The Hearing Panel shall govern the hearing by such procedures it deems appropriate and fair, subject to the following provisions:

- The hearing shall be held within twenty-one (21) days of the Panel's appointment.
- The parties involved shall be given at least ten (10) days written notice of the date, time, format and location of the hearing.
- Parties to the hearing shall receive copies of the investigator's report at least five (5) days in advance of the hearing, where an investigation has been carried out.
- If a Panel decision directly affects an additional party, that person shall become a party to that hearing.
- Any of the parties to a hearing may be accompanied by a representative or advisor, including legal counsel. Parties may bring only one representative, unless given permission by the Chair to bring additional individuals. If a party brings additional representatives (i.e. legal counsel and a parent) all other parties must be notified at least two (2) days in advance of the hearing.
- No one arriving unannounced or uninvited will be permitted to participate in the hearing unless permitted to do so by the Chair **AND** all other parties to the proceeding.
- The Panel may direct that any other person participate in the hearing.
- In the case of a three (3) member Panel, a quorum shall be all three members of that Panel.
- In the case of a five (5) member panel, a quorum shall be at least three members of that Panel.
- All panel decisions shall be by majority vote, with the Chair having a vote.
- If a Panel member becomes unwilling or unable to continue with the hearing once it has started, the hearing will be concluded by the remaining Panel members.
- In the event of a split decision in cases of a two-member or four-member panel, the vote of the Chair shall be decisive.
- The Complainant in any hearing bears the onus of proof, which must be discharged on a balance of probabilities.

4.7 Decision

Within fourteen (14) days of conducting the hearing, the Panel shall issue a written decision, with reasons.

The Panel may decide:

- a) To deny the complaint,
- b) To uphold the complaint, and
- c) To design and impose a remedy the Panel feels will resolve the dispute
- d) To determine how hearing costs shall be allocated, if at all (excluding parties' own legal fees and disbursements)
- e) Recommend changes or modifications to rules, policies, procedures, criteria or bylaws.

However in submitting a remedy, the Panel does **NOT** have the authority to itself change or alter any rule, policy, procedure, criteria or bylaw of AFSS that has been properly passed and implemented by the Governing body.

A remedy designed by the Panel may include one or more of:

- 1) An order of specific performance or conduct
- 2) A written reprimand
- 3) Removal of certain privileges including the right to compete, train, coach, manage or provide team support for specific AFSS events or the AFSS program.
- 4) Suspension from the AFSS program for specific events or for a specified period of time
- 5) Dismissal from the AFSS program through termination of AFSS membership, or
- 6) Any other sanction the Panel considers appropriate

A copy of the decision shall be provided to each of the parties and to the membership Support Officer, who will keep all Panel decisions in a confidential file unavailable to anyone but Panel members and members of the AFSS Board of Directors.

The Panel's decision is binding on all parties to the dispute. Failure of any party to comply with the decision and remedy shall result in automatic suspension of all privileges and rights to participate in any fashion as a member or official of AFSS until such time as the decision and remedy have been complied with.

4.8 Confidentiality

AFSS shall conduct all disputes and all proceedings in a confidential manner except where disclosure is directed by the Hearing Panel as part of the remedy, is required by law or Canada's Doping Policy, or is in the best interest of the public.

As a general rule, the decision of the Panel shall become a matter of public record. However testimony, evidence, disclosures, admissions, allegations, witness identities and the proceedings themselves shall remain confidential. No one shall discuss these matters outside of the hearing or with individuals who were not privy to the hearing. Failure on the part of anyone to maintain confidentiality may be subject to disciplinary measures by the Panel.

APPEAL POLICY

1.0 Terms of Reference

Any member of AFSS who is affected by a decision of the AFSS Board or any of its committees, any operational committee, the Hearing Panel or any individual who has been delegated authority by the Board to make decisions, has the right to appeal that decision provided there are sufficient grounds for an appeal to be carried out.

A decision cannot be appealed simply because a different result is desired. Appeals deemed to have sufficient grounds only include possible procedural errors or omissions where the individual, panel or committee:

- a) Made a decision without the appropriate authority or jurisdiction
- b) Failed to follow procedures laid out in approved AFSS bylaws or policies
- c) Made a decision that was influenced by bias or lack of neutrality to such a degree that the decision-maker was unable to consider other views
- d) Exercised discretion for an improper purpose
- e) Made a decision which was grossly unreasonable.

Appeals do not apply to employment issues or to the relevancy of properly passed and implemented rules, regulations, policies, procedures or bylaws passed by the AFSS governing body.

2.0 Definitions

All definitions in the AFSS Dispute Resolution Policy apply to the AFSS Appeal Policy, except for the following:

- 1) Respondent: In the appeal process, "Respondent" refers to the Board committee, operational committee, Hearing Panel, or individual designated by the Board that has rendered a decision.
- 2) Appellant: The Appellant is the individual appealing a previously rendered decision.
- 3) Appeal Board: The Appeal Board is the body to which all appeals are made under the authority of AFSS.

3.0 Filing an Appeal

Members wishing to file an appeal have twenty-one (21) days from the time they receive a decision to submit a written notice of their intent to appeal. The notice of intent must include the reasons and grounds for the appeal and must be sent to the Membership Support Officer.

Upon receipt of a notice of intent to appeal, the Membership Support Officer has seven (7) days to forward the notice to the AFSS President. During this time the Membership Support Officer shall seek clarification and/or explanation from the appellant and from the respondent body or committee, and include any other factual material or information along with the notice to the President.

4.0 Screening an Appeal

Within five (5) days of receiving the written notice of appeal and the summary of facts from the Membership Support Officer, the President shall decide whether the appeal is valid based solely upon one or more possible errors by the

Respondent that are listed above. The subjective matters and subject of the original decision rendered by the respondent shall not be considered.

The President does not determine whether an error has been made, but only on whether the Appellant has produced clear facts to raise reasonable doubt as to whether there has been a procedural error and whether it need be further reviewed by the Appeal Board.

If the appeal is denied on the basis of insufficient grounds, the Appellant shall be notified in writing within five (5) days by the President, giving reasons. This decision is at the sole discretion of the President and may not be appealed.

5.0 Appeal Board

The Appeal Board shall be comprised of three individuals: the AFFS President, another AFSS Board Member appointed by the President and an external professional mediator in good standing with the ADR Institute of Alberta. The mediator shall act as Chair.

6.0 Administrative Meeting

At the administrative meeting of the Appeal Board the Panel shall determine:

- the date, time and place of the hearing,
- whether the hearing can/should be by teleconference or videoconference
- deadlines for exchanging and filing any written materials that have not yet been submitted
- whether further clarification of the issues is required
- whether clarification of the evidence to be presented is required
- the order and procedure of the hearing
- the identification of witnesses (if any)
- procedural matters that may assist in expediting the appeal proceedings.

Given the Appeal Process is a procedural hearing and not a conduct or disciplinary hearing, parties may request the Appeal Board conduct the appeal either by way of documentary evidence or in-person hearing. If the parties cannot agree, the Appeal Board shall decide whether the appeal should proceed by way of documentary evidence or oral hearing.

The Appeal Board may delegate the administrative duties and preliminary matters to the Chair. Each party will ensure that information is sent to the Appeal Board through the Membership Support Officer, the other party and to all other persons participating in the hearing. Until the hearing begins, all communication between the parties and the Appeal Board members shall be through the Membership Support Officer.

7.0 Jurisdiction

The appeal process shall be governed in accordance with the laws of the province of Alberta.

8.0 Appeal Hearing

The Hearing Panel shall govern the hearing by such procedures it deems appropriate and fair, subject to the following provisions:

- The hearing shall be held within twenty-one (21) days of the Board's appointment.
- The parties involved shall be given at least ten (10) days written notice of the date, time, format and location of the hearing.
- If an Appeal Board decision directly affects an additional party, that person shall become a party to that appeal.
- Any of the parties to an appeal may be accompanied by a representative or advisor, including legal counsel. Parties may bring only one representative, unless given permission by the Chair to bring additional individuals. If a party brings additional representatives (i.e. legal counsel and a parent) all other parties must be notified at least two (2) days in advance of the hearing.
- No one arriving unannounced or uninvited will be permitted to participate in the appeal unless permitted to do so by the Chair **AND** all other parties to the proceeding.
- The Board may direct that any other person participate in the hearing.
- A quorum shall be all three members of that Appeal Board.
- All Appeal Board decisions shall be by majority vote, with the Chair having a vote.
- If a Board member becomes unwilling or unable to continue with the appeal once it has started, the appeal will be concluded by the remaining Appeal Board members.
- In the event of a split decision in cases of a two-member Appeal Board, the vote of the Chair shall be decisive.
- The Appellant in any appeal bears the burden of proof that there has been a procedural error.

9.0 Appeal Decision

Within 14 days of concluding the appeal, the Appeal Board shall issue its written decision, with reasons.

The Appeal Board may decide:

- a) To void or confirm the decision being appealed
- b) To vary the decision, only to the extent it found an error occurred and cannot be corrected by the original decision-maker due to (among other factors) lack of time, lack of neutrality or lack of a clear procedure
- c) To refer the matter back to the decision maker for a new decision
- d) To determine how the costs of the appeal shall be allocated, if at all.

A copy of the Appeal Board decision shall be provided to each of the parties and to the membership Support Officer, who will keep all Appeal Board in a confidential file unavailable to anyone but Appeal Board members and members of the AFSS Board of Directors.

The Appeal Board's decision is final and binding on all parties in terms of all matters in dispute, and there shall be no further appeal.

10.0 Confidentiality

AFSS shall conduct all appeals in a confidential manner except where disclosure is directed by the Appeal Board or is required by law or Canada's Doping Policy, or is in the best interest of the public.

As a general rule, the decision of the Appeal Board shall become a matter of public record.