



ROWING NEW BRUNSWICK AVIRON- INFRACTIONS AND SANCTIONS POLICY

Adopted March 2020

Membership in Rowing New Brunswick Aviron (hereinafter referred to as “RNBA”), and participation in its activities, brings with it many benefits and privileges that are balanced by member and participant responsibilities and obligations. The Member Code of Conduct defines the parameters for these responsibilities and obligations, and thus identifies a standard for behavior that is expected of all RNBA members and participants. This document identifies the procedures to be followed when this standard is not achieved.

TYPES OF INFRACTIONS

- 1) Failure by a Member or Participant to comply with the expected standard set out above may result in discipline and the imposition of a sanction. Infractions are divided into two types, minor infractions and major infractions, which are dealt with using different procedures.
- 2) Minor infractions are single incidents of failing to comply with the expected standards of conduct that generally do not result in harm to others, to the RNBA or to sport. Examples of minor infractions include, but are not limited to:
 - Single instances of un-sportsmanlike conduct;
 - Single instances of disrespectful comments or behaviour directed towards others;
 - Single instances of non-compliance with the bylaws, policies, rules, regulations and directives of the RNBA.
- 3) All disciplinary situations involving minor infractions will be dealt with by the appropriate person having authority over the Member or Participant involved: this person may include, but is not restricted to, a coach, official, director, officer, volunteer or staff member. Penalties for minor infractions may include a verbal warning, written warning, request for an apology, service or other voluntary contribution to the RNBA, removal of certain privileges of membership for a designated period of time, and/or removal from the current activity.



- 4) Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to the RNBA or to sport. Examples of major infractions include, but are not limited to:
- Repeated minor infractions;
 - Intentionally damaging RNBA property or improperly handling RNBA monies;
 - Pranks, jokes or other activities that endanger the safety of others;
 - Deliberate disregard for the bylaws, policies, rules, regulations and directives of the RNBA;
 - Conduct that intentionally damages the image, credibility or reputation of the RNBA;
 - Behaviour that constitutes harassment, sexual harassment or sexual misconduct;
 - Abusive use of alcohol, any use of alcohol by minors, use of illicit drugs and narcotics.
- 5) A Member or Participant's conviction for any of the following Criminal Code offenses will be deemed a major infraction under this Policy and will result in expulsion from RNBA (if the Participant is a Member) and/or removal from RNBA programs, activities and events (Including but not limited to):
- Child pornography offences;
 - Any sexual offences involving a minor;
 - Any offence of assault involving a minor;
 - Any offence of physical or psychological violence involving a minor; or
 - Any offence involving trafficking of illegal drugs or substances
- 6) Major infractions will be reviewed and decided using the disciplinary procedures set out in this policy, except where a dispute resolution procedure contained within a contract or other formal written agreement takes precedence.

REPORTING AN INFRACTION



- 7) Any individual may report to a Representative of RNBA a complaint of an infraction by a Member or Participant. Such complaint must be in writing and must be made within 14 days of the alleged infraction. For the purposes of this Section, a 'Representative' is any person in a responsible volunteer or staff position within RNBA.
- 8) Upon receiving a complaint, the Representative will provide it immediately to the President of RNBA, or designate, if the President is not available or not able to act in this capacity.
- 9) RNBA may determine that an alleged infraction is of such seriousness as to warrant suspension of the Member, or removal of the Participant, pending investigation, a hearing and a disciplinary decision.
- 10) Upon receiving a complaint of a major infraction, the President (or designate) will review the complaint and may:
 - Dismiss the complaint if he or she considers it to be trivial or vexatious;
 - Determine that the complaint does not fall within the jurisdiction of this policy, and refer it to the appropriate body having jurisdiction;
 - Direct that the infraction be dealt with informally as a minor infraction; or
 - Refer the matter to the Discipline Committee to deal with as a major infraction.

DISCIPLINARY PROCEDURES

- 11) The Discipline Committee is an RNBA committee composed of three persons, who are appointed by RNBA to deal with the complaint. The Discipline Committee has an overall responsibility to ensure procedural fairness is respected at all times during the disciplinary process, and to carry out this process in a timely manner.
- 12) Depending on the circumstances of the complaint, the Discipline Committee may authorize an investigation into the alleged infraction.
- 13) The Discipline Committee will determine the format of the disciplinary process, which may involve an oral hearing in person, a hearing based on written submissions, or a combination of these methods.



- 14) The Member or Participant will be given reasonable notice of the format as well as day, time and place of the hearing; will receive a copy of the Investigation Report if an investigation was carried out; may be accompanied by a representative; and will have the right to present evidence and argument before the Discipline Committee.
- 15) After hearing the matter, the Discipline Committee will reach a decision as to whether an infraction has occurred and if it has, what the sanction should be. The Discipline Committee will issue a written decision, including reasons, for distribution to the Member or Participant, the complainant and the President.
- 16) Where the conduct being reviewed by this policy is of a sensitive nature, the Discipline Committee and RNBA will keep all proceedings under the policy confidential, except where publication is ordered as part of the sanction, is required by law, or is in the best interests of the public.
- 17) In fulfilling its duties, and with the approval of the RNBA, the Discipline Committee may obtain independent advice.

DISCIPLINARY SANCTIONS

- 18) The following are examples of disciplinary sanctions that may be applied where it is found that a major infraction has occurred:
 - Verbal or written warning;
 - Require a verbal or written apology;
 - Service or other voluntary contribution to RNBA;
 - Removal of certain privileges of membership;
 - Suspension from certain RNBA events or activities;
 - Suspension from all RNBA activities for a designated period of time;

 - Recommend expulsion from membership at the next AGM or Special General Meeting; and/or
 - Publication of the disciplinary sanction.
- 19) It is understood that the above are representative penalties only, that they may be modified to fit the circumstances of the infraction, and that they are presented generally in order of severity.



CRIMINAL CONVICTIONS

20) A Member or Participant's conviction for any of the following Criminal Code offenses will be deemed an infraction under this Policy and will result in expulsion from RNBA (if the Participant is a Member) and/or removal from RNBA programs, activities and events (Including but not limited to):

- Child pornography offences;
- Any sexual offences involving a minor;
- Any offence of assault involving a minor;
- Any offence of physical or psychological violence involving a minor; or
- Any offence involving trafficking of illegal drugs or substances.