

## CAWF E.A.C Complaints Procedure

The Ethics Advisory Committee has been established to address serious complaints or occurrences which impact Armwrestling athletes or its organization.

The E.A.C is operated by a Chair, Co-Chair, a sitting Executive Member (V.P) and provincial representatives. The E.A.C Chairs and provincial representatives can fulfill the role of Complaints Reviewer (C.R) at any stage of a complaint. The sitting Executive Member can act as C.R when dealing with an appeal.

ALL members of the CAWF are expected to abide by the CAWF Code of Ethics and are pressed to utilize the Ethics Advisory Committee as a means to resolve issues, if they are unable to resolve such issues on their own, by following the policy and procedures of the CAWF Code of Ethics.

- 1) A complaints form will be filed to the EAC complaints hyperlink on the CAWF website. Once, received, the E.A.C Chair will vet the complaint to verify if it meets the criteria for investigation.
- 2) Within **7 business days** after E.A.C receives your written complaint; you will be notified in writing (e as to whether or not your complaint is eligible for review by a C.R.
- 3) Within **15 business days**, the C.R will provide a written letter, including the Ethics procedure and occurrence number if your claim is eligible for review. The occurrence will be assigned to a C.R and you will be given an occurrence number. A meeting date with the C.R should take place within 30 business days of the notification.
- 4) The C.R will check that you have understood and recorded the details of the complaint correctly, and will ask questions if necessary, as follow up. The timeline to collect all information subsequent to the receipt of the complaint should be no longer than **60 business days**.
- 5) At any juncture, if an incident is deemed criminal, the investigation will be stopped and all collected information may be seized by police. If the complaint is revoked, the investigation may stop.
- 6) The C.R will discuss their findings with the E.A.C Chair at the completion of their investigation. (**within 60 days timeline**) The C.R is consulted with regards to their findings NOT the outcome. The outcome is not shared with the C.R.
- 7) The complainant and the respondent(s) will each be provided with a copy of the E.A.C Chair's report, **within 90 business days**, including the decision regarding outcomes including information only about themselves. All efforts will be made to keep information confidential.

8) All decisions are shared with the sitting Executive member. Penalties are shared with the CAWF President, Referee-in-Chief and the respective Provincial President.

9) The involved party, may request an appeal, **within 30 business days of their verification notification**, if not in agreement with the outcome of a reviewer. Eligibility for appeal requires a written justification and alternative solutions. Appeals will be dealt with in consultation between the E.A.C Chair and the sitting Executive Member. Appeals will not be accepted beyond the timeline allotted.

### **Appeal Procedure**

1. The appeal request is submitted, in writing, by a party member within 30 days of the final outcome.

2. The appeal is reviewed by an E.A.C Chair (and may include the E.A.C reviewer) and sitting Executive member **within 30 business days** of its receipt.

3. There may be a consult with the appeal holder, by the E.A.C Chair, for clarification.

4. The appeal decision will be sent to the appeal holder, in writing, **within 15 business days** of its outcome by the E.A.C Chair.

5. Outcomes of appeals will be shared with the CAWF President, Referee-in Chief, and the respective Provincial President.

6. The outcome of the appeal is final.

### **Complaints Procedures for Minors**

The process remains as noted above with additional steps.

- 1) Where minors are accused of or make a complaint, parents or guardians are notified. (under the age of consent)
- 2) Parents or guardians should be present when interviewing a youth (under age of consent) or whenever a youth requests this.

## **Potential Outcomes of Occurrences**

Options for solving the problem include but are not limited to:

- a.) Voluntary reconciliation between parties- voiding of the complaint
  - Learned lesson approach
  - Restorative Measures (letter of apology or the like)
  - Validation of the intent and impact
  - required sensitivity training at the person's expense,
  - termination of respective designation/role depending on the nature and severity of the occurrence.
- b.) Suspension or revoking the membership or position within the CAWF Executive or Provincial Association.
- c.) Provisional suspensions for pending criminal charges in direct violation of the Code of Ethics
- d.) Immediate referral to authorities
- e.) No monies are accepted in order to influence, coerce or change the outcome of a decision. (Different than a fine)
- f.) Resolved complaints are kept in an encrypted file for up to 7 years (from an occurrence opening) at which point it would be deleted by the E.A.C Chair.
- g) Refusing or Failing to comply with the outcome of an occurrence, without compelling justification, may re-open the review for appraisal.
- h.) In extraordinary circumstances a ban may be required for serious occurrences

## **General Provisions**

- All decisions from the E.A.C are completed in consultation with the Complaints Reviewer and will attempt to follow a consistent way of dealing with occurrences so that it is equitable for all. Steeper penalties may apply to "repeat offenders".
- The timelines above do not apply to provisional suspensions, due to criminal charges or ongoing court proceedings, in direct violation of the Code of Ethics. The timelines would proceed, once further information is received about the matter at which point criteria for eligibility would commence.
- "It may be very difficult to bring forward a complaint about a breach of conduct. Protecting confidentiality and privacy is important, both to the person bringing

forward the complaint, and the person(s) the complaint is made against."  
(Ohrc.on.ca)

- "The C.R will only share information about the complaint with people who need to know about it. For example, the person the complaint is against will need to know about the particulars of the complaint to respond to it. Witnesses will need some information about the incidents they are said to have been involved in or allegations they have knowledge of." (Ohrc.on.ca)
- "All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, and documents related to the complaint, will be securely maintained by the C.R in a virtual file." (Ohrc.on.ca)  
When the investigation is completed the encrypted virtual file will be transferred to the E.A.C chair virtual occurrence bank.
- "The C.R is responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint. The C.R will interview the complainant, the respondent(s), and relevant witnesses suggested by the complainant or respondent(s), as well as gather documents relevant to the matters in the complaint."(Ohrc.on.ca)
- All parties are expected to comply with the procedure and confidentiality protocols.
- The members of the E.A.C are not responsible to investigate matters of a criminal nature. Those making complaints of a criminal nature will be encouraged to report this directly with legal authorities. (In matters where no contact orders or restraining orders, between athletes or officials, are issued this information should be shared with the E.A.C Chair so that the proper officials are notified. Criminal charges pending further criminal investigation should also be shared with the E.A.C Chair for future processing) Although, CAWF members may not have the authority to enforce criminal restrictions; it is their duty to report.
- Provisional suspensions may be issued for criminal matters that are in breach of the Code of Ethics until the matter is legally dealt with or an outcome received.
- At any time, the complainant may request (in writing) that the complaint be revoked if independent reconciliation has taken place between all parties and will be documented as such. Independent reconciliation is encouraged at all times wherever possible. This does not apply to provisional suspensions unless the charges are dropped.
- "Complainants should not be automatically penalized where a complaint is determined to be unfounded, as this may deter people from making valid

complaints. There may be very rare cases, however, where there is objective evidence to show that the complaint was maliciously filed, with deliberate intent to injure or mislead; only where the evidence of malice in bringing a complaint is compelling and undeniable should disciplinary measures of any sort apply to complainants."(Ohrc.on.ca)

- Copies of the Reviewers report will not be shared with third-parties and are not permitted to be published on social media or other for the protection and privacy of all parties; doing so is a breach of privacy and could lead to further sanctions.
- Where a significant penalty must be applied, such as a suspension or other, the designated Provincial President, Referee-in-Chief and the CAWF President will be informed of the outcome in order to uphold the issued penalty and involved parties will be notified of this.
- The intent of the CAWF is to achieve reconciliation wherever possible and recognize that reconciliation for both parties can foster a safe environment. Monies will not be accepted in order to negotiate the outcome of an issue but a fine may be issued as a condition of penalty.
- If the C.R cannot remain neutral or deem that they will not be able to continue to support, in the situation, an outside source from another agency may be called upon (sports ombudsman if available) or a new C.R will be assigned.

### **Glossary:**

Complainant- person making the complaint

Respondent – the accused

E.A.C - Ethics Advisory Committee

E.A.C Chair – E.A.C Chair or Co-Chair

C.R – Complaints Reviewer/ A provincial representative (nominated by the E.A.C) who volunteers and is tasked to review an occurrence.

Sitting Executive member – CAWF V.P designated within the E.A.C