

Discipline and Complaints Policy Flowchart FOR CLUBS

Complainant files complaint to Independent Third Party (ITP)
The Independent Third Party's contact information can be found on RCA's website:
<https://rowingcanada.org/safe-sport/>

Screening of Complaint

The ITP shall:

- determine whether the complaint falls within the jurisdiction of this Policy;
- if it can be accepted pursuant to Section 13; and
- whether it is either a frivolous or vexatious complaint, or if it has been made in bad faith.

Case Dismissed

The case is dismissed if the ITP determines the case is frivolous or falls outside of policy jurisdiction. Complainant will be advised of reasons for dismissal.

Case Accepted to Club Complaint Resolution Officer

The Independent Third Party shall direct a Reported complaint to be managed by the Complaint Resolution Officer of [CLUB NAME] if the Complainant alleges that any of the following incidents have occurred and in accordance with Sections 18 and 19 above:

- Disrespectful conduct or behaviour
- Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Individual, in which case the matter will fall under Section 21 below
- Conduct contrary to the values of [CLUB NAME]
- Non-compliance with [CLUB NAME]'s policies, procedures, rules, or regulations
- Minor violations of the *Code of Conduct and Ethics, Social Media Policy, Athlete Protection Policy* or RCA's Rules of Racing

Complaint Handled by Complaints Resolution Officer (CRO)

- The Complaint Resolution Officer appointed by Club:
 - will ask the Complainant and the Respondent for either written or oral submissions regarding the Reported complaint or incident and evidence.
 - Ensure all evidence and submissions are disclosed to all parties
 - May convene meeting of parties
 - Will determine if any of the five Incidences have occurred, and if so sanctions may be applied. If not, case dismissed.
 - Inform parties of decision and include SRA and RCA in accordance with the Discipline and Complaints Policy.
- Request for Reconsideration
 - If CRO decides not to impose a sanction on the Respondent, the Complainant may request a reconsideration.
 - If CRO imposes a sanction, the Respondent may request reconsideration, the Respondent must indicate: Why the sanction is inappropriate; Any evidence to support the Respondent's position; and What penalty or sanction (if any) would be appropriate.
 - CRO has 7 days to render a decision of reconsideration.
- Decisions may be appealed in accordance with the [CLUB NAME]'s Appeal Policy

OR

Case Accepted to SRA Case Manager

The Independent Third Party shall direct a Reported complaint to be managed by the Case Manager appointed by the SRA or RCA (as applicable pursuant to Sections 18 and 19 above) if the Complainant alleges that any of the following incidents have occurred:

- I. Repeated incidents pursuant to Section 20
- II. Abusive, racist, or sexist comments, conduct or behaviour
- III. Any incident of hazing
- IV. Behaviour that constitutes abuse, Maltreatment, Harassment, Sexual Harassment, or Sexual Misconduct
- V. Major incidents of physical violence (e.g., fighting, attacking)
- VI. Pranks, jokes, or other activities that endanger the safety of others
- VII. Conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition
- VIII. Conduct that intentionally damages [CLUB NAME]'s image, credibility, or reputation
- IX. Consistent disregard for [CLUB NAME]'s bylaws, policies, rules, and regulations
- X. Major or repeated violations of the *Code of Conduct and Ethics, Social Media Policy, Athlete Protection Policy* or RCA's Rules of Racing
- XI. Intentionally damaging [CLUB NAME]'s property or improperly handling the organization's monies
- XII. Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics

Case Accepted

The Case Manager will propose to the parties the Alternate Dispute Resolution Policy with the objective of resolving the dispute

Formal Hearing Procedure

(Alternate Dispute Resolution Unsuccessful or Denied)

1. The Case Manager appointed by SRA:
 - a) Appoint a Discipline Panel
 - b) Coordinate all administrative aspects and set timelines
 - c) Provide administrative assistance and logistical support to discipline panel
 - d) Ensure all evidence and submissions are disclosed to all parties and the Panel
 - e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding;
 - f) Liaise with the RCA's Independent Third Party and to Sask Sport to communicate outcomes of complaints for record keeping purposes as provided for in the Discipline and Complaints Policy.
2. The Panel:
 - a) May request other Individuals participate in the hearing
 - b) will determine what is or is not evidence
 - c) will render a written decision within 14 days of the completion of the hearing
 - d) Distribute the decision to the Case Manager who will distribute the decision in accordance with the Discipline and Complaints Policy
3. Decisions may be appealed in accordance with the Association's Appeal Policy

Alternate Dispute Resolution Policy

1. SRA supports Individuals in seeking to resolve their own conflicts and recognize that, in many cases, disputes can be resolved directly and quickly in an informal way.
2. If all Parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all Parties, shall be appointed to mediate or facilitate the dispute.
3. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the Parties must reach a negotiated decision.
4. If a negotiated decision is reached, the decision will be reported to the SRA.
5. If a negotiated decision is not reached, the complaint will be referred back to the Discipline and Complaints Policy for a Formal Hearing Procedure.
6. Any negotiated decision will be binding on the parties and not subject to appeal.