

Ringette Calgary Association
APPEAL POLICY

Definitions

1. These terms will have these meanings in this policy:
 - a) *“Appellant”*- The party appealing a decision.
 - b) *“Ringette Calgary”* – Ringette Calgary Association
 - c) *“Days”* - Days regardless of weekends or holidays.
 - d) *“Individuals”* – All categories of Membership within the Ringette Calgary Bylaws, as well as all individuals engaged in activities with Ringette Calgary, including but not limited to, athletes, coaches, officials, volunteers, managers, administrators, staff, directors and officers.
 - e) *“Respondent”* - The body whose decision is being appealed.

Scope and Application of this Policy

2. Any Individual who is affected by a decision of Ringette Calgary will have the right to appeal that decision in accordance with this Policy, subject to any limits in this Policy, to the applicable governing body as set out in the table below:

Jurisdiction of Appeals

"1 st Level of Appeal"	Sub-Association
"2 nd Level of Appeal"	Ringette Calgary
"3 rd Level of Appeal"	Ringette Alberta

3. This Policy **will** apply to decisions relating to conflict of interest, eligibility, selection, discipline, membership or any other matter deemed appropriate by Ringette Calgary.
4. This Policy will **not** apply to decisions relating to:
 - a) Disciplinary Review Dispute (see Ringette Calgary Rules & Regulations)
 - b) Game or Other Protests (see Ringette Calgary Rules & Regulations)
 - c) Operational Review (see Ringette Calgary Operating Policies)
 - d) Decisions made external to Ringette Calgary;
 - e) Matters of board composition, committees, staffing, or employment opportunities;
 - f) Commercial matters;
 - g) Matters of budgeting and budget implementation, including fees, dues and levies;
 - h) Infractions for doping offences which are dealt with pursuant to the *Canadian Anti-Doping Program* or any successor policy;
 - i) The rules of ringette or disputes over competition rules;
 - j) Matters relating to the substance, content and establishment of policies, procedures or criteria;
 - k) Disputes arising within competitions which have their own appeal procedures; and
 - l) Any decisions made under this Policy.

Timing of Appeal

5. Members who wish to appeal a decision will have fourteen (14) days from the date on which they learned of the decision, to submit in writing to the President of Ringette Calgary or the Ringette Calgary office, the following:
 - a) Notice of their intention to appeal;
 - b) Contact information of the Appellant;
 - c) Name of the Respondent;
 - d) Ground(s) for the appeal;
 - e) Detailed reason(s) for the appeal;
 - f) All evidence that supports the reasons and grounds for an appeal;
 - g) The remedy or remedies requested, and

- h) A payment of two hundred dollars (\$200) certified cheque or cash. If the appeal is upheld, the two hundred dollars (\$200) will be refunded.

Grounds for Appeal

- 6. Decisions may only be appealed on procedural grounds which are limited to the Respondent:
 - a) Making a decision for which it did not have authority or jurisdiction as set out in the applicable governing documents;
 - b) Failing to follow procedures as laid out in the bylaws or approved policies of Ringette Calgary;
 - c) Making a decision that was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views or that the decision was influenced by factors unrelated to the substance or merits of the decision; and/or
 - d) Failing to consider relevant information or taking into account irrelevant information in making the decision.
- 7. The Appellant will bear the onus of proof in the appeal, and thus must be able to demonstrate, on a balance of probabilities, that the Respondent has made an error as described in Section 6.

Appeals Officer

- 8. The Ringette Calgary President or designate shall act as the Appeals Officer. The Appeals Officer has an overall responsibility to ensure procedural fairness and timeliness are respected at all times in the appeals process and more particularly, has a responsibility to:
 - a) Receive appeals;
 - b) Determine if the appeal lies within the jurisdiction of this Policy;
 - c) Determine if appeal is brought in a timely manner;
 - d) Determine if the appeal is brought on permissible grounds;
 - e) Determine the format of the appeal hearing;
 - f) Coordinate all administrative and procedural aspects of the appeal;
 - g) Provide any other service or support that may be necessary to ensure a fair and timely appeal proceeding; and
 - h) Engage the Ringette Calgary Grievance Committee (see Ringette Calgary Rules & Regulations) to hear the appeal OR to confirm that the appeal is not under this Policy's jurisdiction, or that there are not sufficient grounds for the appeal;

Confidentiality

- 9. The appeal process is confidential involving only the parties, the Appeals Officer and the Ringette Calgary Grievance Committee. Once initiated and until a written decision is released, none of the parties or the Panel will disclose confidential information relating to the appeal to any person not involved in the proceedings.

Final and Binding Decision

- 10. The decision of the Ringette Calgary Grievance Committee will be binding on the parties, unless a dispute of a decision rendered by the Grievance Committee is filed (see Ringette Calgary Rules & Regulations).