

# WHITBY GIRLS' HOCKEY ASSOCIATION



## BY-LAWS, RULES & CODE OF CONDUCT

Revised April 2019

Incorporated #1220958

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# SECTION 1: BY -LAWS

A by-law relating generally to the transaction of the business and affairs of WHITBY GIRLS HOCKEY ASSOCIATION (the "Corporation")

BE IT ENACTED as a by-law of the Corporation as follows:

## 1. Head Office

The head office of the Corporation shall be in the Town of Whitby in the Province of Ontario, at such place therein as the Board (as defined) may from time to time by resolution determine.

## 2. Directors

**2.01 Board of directors.** The affairs of the Corporation shall be managed by a board of directors (the "Board"), who may exercise all such powers and do all such acts and things as may be exercised or done by the Corporation and are not, by the by-laws or any resolution of the Corporation or by statute, expressly directed or required to be done by the Corporation at a meeting of members.

**2.02 Qualification of directors.** Directors shall be individuals, eighteen or more years of age and shall, throughout the term of their office, be members of the Corporation. In the event that a director who is not a member becomes a director by virtue of being elected as an officer, he or she shall be admitted as a member of the Corporation.

**2.03 Election of directors and term of office.** There shall be fifteen (15) directors, whom shall, in lieu of election, become directors by virtue of their election as an officer at the Corporation's Annual General Meeting of members (the "AGM"), seven (7) of whom shall become directors on even years, and eight (8) of whom shall become directors on odd years. Each term will last for two years, provided that for the first election after adoption of this by-law, eight (8) directors shall become directors by virtue of their office, with the director elected as Treasurer to serve an initial three-year term. The officers set forth in Section 4.02 shall serve a one-year term as a director for their first term following the adoption of this by-law, and the officers subsequently elected to those positions shall become directors on odd years.

**2.04 Vacation of office.** A person ceases to be a director of the Corporation:

- (a) if he or she becomes a bankrupt;
- (b) if he or she is found by a court to be mentally incompetent or of unsound mind;



- (c) if by notice in writing to the Secretary of the Corporation he or she resigns his or her office; or
- (d) if he or she ceases to be an officer of the Corporation.

**2.05 Remuneration of directors.** The directors of the Corporation shall serve without remuneration and no director shall directly or indirectly receive any profit from his or her position as such; provided that a director may be paid reasonable expenses incurred by him or her in the performance of the director's duties.

### **3. Meetings of Directors**

#### **3.01 Place of meeting and notice.**

(1) Meetings of the Board shall be held at the head office of the Corporation. A meeting of the Board may be convened by the President, or any two directors.

(2) Notice of any meeting of the Board shall be delivered or mailed or sent by email or otherwise communicated to each director not less than seven days if mailed and not less than two days if delivered, sent by email or otherwise communicated (exclusive of the day on which the notice is delivered or mailed or sent by email or otherwise communicated but inclusive of the day for which notice is given) before the meeting is to take place; provided always that meetings of the Board may be held at any time without formal notice if all the directors are present or those absent have waived notice or have signified their assent in writing to such meeting being held in their absence. Notice of any meeting or any irregularity in any meeting or in the notice thereof may be waived by any director.

(3) Any director may participate in a meeting by means of conference telephone, electronic or other communication facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously and a director participating in such a meeting by such means is deemed for the purposes of the Act and these by-laws to be present at the meeting.

**3.02 Chair.** The President shall act as the Chair of the Board. In the absence of the President the 1<sup>st</sup> Vice-President shall act as the Chair of the Board. The Chair of the Board shall, when present, preside at all meetings of the Board and of the members. In the absence of the Chair of the Board at a meeting of the Board, the directors present shall choose one of their number to be Chair of the meeting.

**3.03 Quorum.** A quorum at any meeting of the Board shall be the presence in person or by telephone of at least a majority of the directors.

### 3.04 Voting.

(1) Questions arising at any meeting of the Board shall be decided by a majority of votes. In case of an equality of votes, the Chair of the meeting, in addition to his or her original vote, shall have a second or casting vote.

(2) At any meeting unless a poll is demanded a declaration by the Chair that a resolution has been carried or carried unanimously or by a particular majority or lost or not carried by a

particular majority shall be conclusive evidence of the fact without proof of the number of proportion of votes recorded in favour of or against the motion.

(3) All directors may pass a resolution without a meeting if all directors sign a written resolution, which may be signed in counterparts.

(4) Immediate Past President will not have voting rights at any meetings of the Board but will have voting rights at the AGM.

## 4. Officers

4.01 The Officers of the Corporation shall be the positions set forth in this section, whom shall, in addition to any duties prescribed by this By-Law, have the duties as may be prescribed by the Board from time to time:

	Position	Year of Election	First Year Elected
1	President	Odd	2015
2	1 <sup>st</sup> VP/GM Hockey Operations (the "1 <sup>st</sup> VP")	Even	2014
3	2 <sup>nd</sup> VP/House league Director (the "2 <sup>nd</sup> VP")	Odd	2015
4	Secretary	Even	2014
5	Treasurer	Odd	2015 3yr 1 <sup>st</sup> term
6	Registrar	Even	2014
7	Referee-in-Chief	Even	2014
8	Director of Coach and Player Development	Odd	2015
9	Equipment Director	Odd	2015
10	Clothing Director	Odd	2015
11	Director of Public Relations	Odd	2015
12	Director of Sponsorship	Even	2014
13	Tournament Director	Odd	2015
14	Director of Ice Scheduling	Even	2014
15	Junior House League Director	Even	2014
16	Past President	Odd	Acclaimed

**4.02 Term** Subject to Section 4.12, each term for an officer shall be for two years, provided that for the officers in 1, 3, 8, 9, 10, 11, and 13 above, the individuals holding that office as of the adoption of this by-law shall be deemed to have been elected to that position for a one (1) year term. In the event that there are any officer positions not filled at the AGM, or an officer ceases to hold the office for which he or she was elected, the Board shall appoint an officer for that position until the next AGM, and the term for that office from the next AGM shall be for either one (1) or two (2) years, such that the next following election for that office shall be in accordance with Section 4.01.

**4.03 Nominations** Officers shall be nominated by members prior to the annual meeting by filing with the Secretary in paper form or by email at least thirty (30) days before the AGM a nomination form naming a nominee, which nomination shall not require a seconder. If there are no nominees for an officer position prior to the annual meeting, nominations may be made from the floor. Any nominee must provide his or her written consent to stand as a director within ten (10) days of the election or appointment. To be eligible for the office of President, the individual must be a currently elected member serving a full term in any position on the Board.

**4.04 Voting** Voting by members with respect to the election of officers shall be by ballot, and each member, regardless of the manner in which he or she qualifies as a member, shall have one vote for each officer position being elected. Subject to the provisions of this bylaw, officers shall be eligible for re-election.

**4.05 Duties of President**

a.) The President shall be the chief operating officer of the Corporation and, subject to the authority of the board, shall have the general supervision of the business and affairs of the Corporation and shall have such other powers and duties as the board may specify.

b.) The President shall be a member of all standing and special committees, as well as the discipline committee.

c.) The President shall be responsible for the preparation of the annual budget for presentation to the Board for approval.

**4.06 Duties of 1<sup>st</sup> VP**

a.) The 1<sup>st</sup> VP shall be responsible for the Representative program, including recommending to the Board the number of Representative Teams (divisions and category) that will represent the Corporation for the upcoming season, overseeing the Representative Team tryout process, providing management support to all Representative Teams, approving the schedule of the Representative Teams play-off and playdown games, and attending all OWHA and League Meetings.

b.) The 1<sup>st</sup> VP shall be a member of the Discipline Committee.

c.) The 1<sup>st</sup> VP shall develop coaching selection criteria with the assistance of the Hockey Operations Committee and the Director of Coach and Player Development.

#### **4.07 Duties of 2<sup>nd</sup> VP**

a.) The 2<sup>nd</sup> VP shall oversee the House league program, and shall be responsible for Peewee, Bantam, Midget and Intermediate divisions, including recommending to the Board the actual number of House league teams.

b.) The 2<sup>nd</sup> VP shall be a member of the discipline committee, and the Coaching Selection Committee.

c.) The 2<sup>nd</sup> VP shall co-ordinate with the Referee-In-Chief to ensure referees are booked for each game, and shall oversee timekeepers.

#### **4.08 Duties of Secretary**

a.) The Secretary shall give, or cause to be given, when instructed, notices required to be given to directors, accountants and members.

b.) The Secretary shall be responsible for the safekeeping of all books, minutes and official records of the Corporation, and shall record the minutes of the meetings of the Board and members, and post the minutes on the web site and distribute same.

**4.09 Duties of Treasurer** In order to be nominated for election at the AGM, the treasurer shall have a recognized accounting designation, provided that if no-one is nominated, the Board may appoint a treasurer who has equivalent related experience until the next AGM.

The treasurer shall keep, or cause to be kept, proper accounting records as required by the Act; shall deposit, or cause to be deposited, all monies received by the Corporation in the Corporation's bank account; shall, under the direction of the Board, supervise the safekeeping of securities and the disbursement of the funds of the Corporation; and shall render to the Board, whenever required, an account of all transactions and of the financial position of the Corporation.

**4.10 Other Officers** The duties of all other officers of the Corporation shall be such as are prescribed by the Board.

The Board may appoint such other agents as it shall deem necessary whom shall have such authority and shall perform such duties as may from time to time be prescribed by the Board.

#### **4.11 Removal/Vacancies.**

(1) The directors may remove any officer by resolution of the Board at any time and in the event of removal, death, resignation, or disqualification of an officer, the directors may elect or appoint an officer to fill such vacancy, until the next AGM.

(2) The members of the Corporation may, by resolution passed by at least a majority of the votes cast at a general/special meeting of which notice specifying the intention to

pass such resolution has been given, remove any officer before the expiration of his or her term of office and may, by majority of the votes cast at such meeting, elect any member in his or her stead for the remainder of his or her term.

(3) An officer is entitled to give the Corporation a statement giving reasons for resigning, or opposing his or her removal as an officer if a meeting is called to remove him or her as an officer, and subject to applicable law, the Corporation shall immediately provide a copy of the statement to the members.

**4.12 Delegation of duties of officers.** In the case of absence or inability to act of the President, a Vice-President or any other officer of the Corporation or for any other reason that the directors may deem sufficient, the directors may delegate all or any of the powers of such officer to any other officer or to any director for the time being.

## **5. Committees**

Coach Selection Committee

Discipline Committee

Tournament Committee

The Board may from time to time constitute such committees as it deems necessary to assist the directors in carrying on the affairs of the Corporation and shall prescribe the duties of any such committees.

## **6. Indemnities to Directors, Officers and Others**

Every director or officer of the Corporation or any other person who has undertaken or is about to undertake any liability on behalf of the Corporation and his or her heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Corporation, from and against:

(a) all costs, charges and expenses whatsoever which such director, officer or other person sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her, in or about the execution of the duties of his or her office; and

(b) all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.



## 7. Membership

7.01 **Classes of Membership.** There shall be two classes of membership in the Corporation, namely:

- (a) ordinary members; and
- (b) life members.

7.02 **Ordinary members.** Ordinary members shall be those individuals who have filed an application for such membership with the Corporation and who have been appointed as Ordinary members by the Board. A membership shall be effective as of July 1 in each year, and expire on June 30 of the following year.

- 1) An individual, eighteen (18) years of age or older registered with the Association as a player and who has paid the annual player registration fees;
- 2) A parent or legal guardian of a player under age of eighteen (18) years and who has paid the annual player registration fees;
- 3) Any person(s) approved by the Board as a Team Official (coach, assistant coach, manager, trainer), up to a maximum of seven (7) team officials per team, and who is registered with the WGHA as a team official(s) prior to December 1st of the hockey year;
- 4) Each officer;
- 5) Any person(s) appointed by the Board to fulfill voluntary responsibilities on behalf of the WGHA who would not otherwise qualify as a member.

7.03 Every application for registration as a player or appointment as a coach, trainer, manager, or staff of a team in the WGHA is subject to approval by the Board, in their sole discretion.

7.04 **Life members.** Any member or past member of the WGHA, who has rendered valuable service to the WGHA, may after nomination and upon a majority vote at the AGM be elected as a Member. A life member will only be given a vote at the AGM meeting.

7.05 **Termination of Membership.**

- 1) The membership of any member may be terminated if such member fails to pay any fee within 60 days after it is due. Such termination of membership shall not prejudice the member's right to apply for re-admission.

2) The Board may, by a resolution passed by a majority vote, terminate any membership for just cause, provided, however, that the member is given at least fifteen (15) days notice of the termination and the reason, and the member is given the opportunity to be heard orally or in writing at least five (5) days before the termination becomes effective.

3) The membership of any officer of the Corporation shall not be terminated unless such officer has first been removed as a officer of the Corporation pursuant to paragraph 4.11 of this By-law.

**7.06 Resignation.** Any member of the Corporation may resign as a member of the Corporation by letter addressed to the Secretary of the Corporation at the head office of the Corporation.

## **8. Meetings of Members**

**8.01 Annual meetings.** The AGM of the members shall be held at the location identified in the notice of the meeting, within Whitby, on such day in each year and at such time as the Board may by resolution determine. The AGM shall be held on or before June 30 of the current year. Notice of the meeting will be posted on the Corporation's website. At the AGM there shall be presented a report of the directors of the affairs of the Corporation for the previous year, a financial statement of the Corporation, the accountant's report and such other information or reports relating to the Corporation's affairs as the directors may determine.

**8.02 General/Special meetings.** Other meetings of the members (to be known as "general/special meetings") may be convened by order of the President or by the Board to be held at any date and time, with the requisite notice under Section 8.03.

**8.03 Notice.** A printed, written or typewritten notice stating the day, hour and place of meeting and the general nature of the business to be transacted shall be served either personally or by sending such notice by email or mail to each director and member of such meeting and to the accountant of the Corporation not less than ten (10) days nor more than fifty (50) days (exclusive of the day of mailing but including the day for which notice is given) before the date of every meeting directed to such address or email address of each such director, member and of the accountant as appears on the books of the Corporation, or if no address is given therein, then to the last address of each such member or accountant known to the Secretary; provided always that a meeting of members may be held for any purpose at any date and time and at any place within Whitby without notice if all the members are present in person at the meeting or if all the absent members shall have signified their assent in writing to such meeting being held in their absence. Notice of any meeting or any irregularity in any meeting or in the notice

thereof may be waived by any member or by the accountant of the Corporation. Notice of any meeting shall be posted on the Corporation's website.

**8.04 Omission of notice.** The accidental omission to give notice of any meeting or the non-receipt of any notice by any member or by the accountant of the Corporation shall not invalidate any resolution passed or any proceedings taken at any meeting of members.

**8.05 Contents of notice.** Notice of any meeting of members shall contain sufficient information concerning such business to permit the member to form a reasoned judgment on the decision to be taken.

#### **8.06 Voting.**

1) Every question submitted to any meeting of members shall be decided by a majority of votes given on a show of hands unless otherwise specifically provided by statute or by these by-laws. In case of an equality of votes, the Chair of the meeting shall, both on a show of hands and on a poll, have a second or casting vote. Each member, regardless of the manner in which he or she qualifies as a member, shall have one vote.

2) At any meeting, unless a poll is demanded, a declaration by the Chair that a resolution has been carried or carried unanimously or by a particular majority or lost or not carried by a particular majority shall be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the motion.

3) Members may speak once to a resolution or other order of business after they have been recognized by the Chair, and shall be limited to two minutes when addressing an order of business, and the mover of a resolution may speak last to the resolution, followed by the Chair.

**8.07 Polls.** If at any meeting a poll is demanded on the election of a Chair or on the question of adjournment, it shall be taken forthwith without adjournment. If a poll is demanded on any other question it shall be taken in such manner and either at once or later at the meeting or after adjournment as the Chair directs. The result of a poll shall be deemed to be the resolution of the meeting at which the poll was demanded. A demand for a poll may be withdrawn.

**8.08 Adjournments.** The Chair may with the consent of any meeting adjourn the same from time to time and no notice of such adjournment need be given to the members provided that the date, time, and location of the meeting that continues the adjourned meeting is announced at the meeting that is adjourned, and the continued meeting is not later than thirty (30) days after the adjourned meeting. Any business may be brought before or dealt with at any adjourned meeting which might have been brought before or dealt with at the original meeting in accordance with the notice calling the same. An AGM cannot be adjourned past June 30.

**8.09 Quorum.** A quorum for the transaction of business at any meeting of members shall consist of fifteen (15) of the members present in person.

**8.10 Requisition Meetings.**

1) The members who hold at least ten (10) per cent of the votes that may be cast at a meeting of members sought to be held may requisition the directors to call the meeting for the purposes stated in the requisition.

2) The requisition, which may consist of several documents of similar form each signed by one or more members, must state the business to be transacted at the meeting and must be sent to each director and to the registered office of the Corporation.

3) On receiving the requisition, the directors shall call a meeting of the members to transact the business stated in the requisition unless the directors have called a meeting of members and have given notice of the meeting.

4) If the directors do not call a meeting within twenty one (21) days after receiving the requisition, any member who signed the requisition may call the meeting, which shall be called in accordance with the notice section of the by-laws.

**9. Enactment, Repeal and Amendment of By-laws**

1) By-laws of the Corporation may be enacted, and the bylaws of the Corporation repealed or amended, by by-law enacted by a majority of the Board at a meeting of the Board and sanctioned by an affirmative vote of a majority of the members at a meeting of members duly called for the purpose of considering such by-law.

2) Any by-law to be sanctioned at an annual or general/special meeting of members (including a by-law which amends or repeals an existing by-law) must be received, in its entirety, in writing, by the Secretary at least thirty (30) days in advance of the date of the annual or general/special meeting at which it is to be considered.

3) A copy of any by-law to be sanctioned at an annual or general/special meeting of members (including a by-law which amends or repeals an existing by-law) shall be sent to every member of the Corporation with the notice of such meeting.

4) The constitution of the Corporation is hereby revoked.

**10. Accountants**

The members shall at each annual meeting appoint an accountant to review or audit the accounts of the Corporation to hold office until the next annual meeting provided that the directors may fill any casual vacancy in the office of the accountant. The remuneration of the accountant shall be fixed from time to time by the Board.

## **11. Notices**

**11.01 Service.** Any notice to be given to any member or director or accountant shall be served either personally or by sending it through the mail in a prepaid envelope or email addressed to such member, director or accountant at his address or email address as the same appears in the books of the Corporation or, if no address be given therein, then to the last address or email address of such member, director or accountant known to the Secretary of the Corporation. With respect to every notice sent by mail, it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put into a Post Office or into a Post Office letter box.

**11.02 Signatures to notices.** The signature to any notice may be written, stamped, typewritten or printed or partly written, stamped, typewritten or printed.

**11.03 Computation of time.** Where a given number of days' notice or notice extending over any period is required to be given, the day of service or posting of the notice shall, unless it is otherwise provided herein, be counted in such number of days or other period.

**11.04 Proof of service.** A certificate of the President, a Vice-President, the Secretary or the Treasurer or of any other officer of the Corporation in office at the time of the making of the certificate as to facts in relation to the mailing or delivery of any notice to any member, director, officer or accountant or publication of any notice shall be conclusive evidence thereof and shall be binding on every member, director, officer or accountant of the Corporation, as the case may be.

## **12. Cheques, Drafts, Notes, etc.**

All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by such officer or officers or person or persons, whether or not officers of the Corporation, and in such manner as the Board may from time to time designate by resolution.

## **13. Execution of Contracts, etc.**

1) Contracts, documents or instruments in writing requiring the signature of the Corporation and which have been approved by a resolution of the Board may be signed:

a) by any two persons, each of whom is the President, a Vice-President, Treasurer, or the Secretary of the Corporation, or

b) by any two directors of the Corporation, and all contracts, documents or instruments in writing so signed shall be binding upon the Corporation without any further authorization or formality. The Board is authorized from time to time by resolution to

appoint any officer or officers or any person or persons on behalf of the Corporation either to sign contracts, documents or instruments in writing generally or to sign specific contracts, documents or instruments in writing.

2) The corporate seal of the Corporation may when required beaffixed to contracts, documents or instruments in writing signed as aforesaid, by any officer or officers, person or persons, appointed as aforesaid by resolution of the Board.

3) The term "contracts, documents or instruments in writing" as used herein shall include deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, immovable or movable, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignments of shares, bonds, debentures or other securities and all paper writings.

4) In particular, without limiting the generality of the foregoing:

a) any two persons, each of whom is the Chair, the President, a Vice-President or the Secretary of the Corporation, or

b) any two directors of the Corporation, are authorized to sell, assign, transfer, exchange, convert or convey any and all shares, bonds, debentures, rights, warrants or other securities owned by or registered in the name of the Corporation and to sign and execute (under the corporate seal of the Corporation or otherwise) all assignments, transfers, conveyances, powers of attorney and other instruments that may be necessary for the purpose of selling, assigning, transferring, exchanging, converting or conveying any such shares, bonds, debentures, rights, warrants or other securities.

#### **14. Financial Year**

The financial year end of the Corporation shall be March 31, and the Board may from time to time by resolution change the financial year end of the Corporation.

#### **15. Interpretation**

In all by-laws and resolutions of the Corporation, the singular shall include the plural and the plural the singular; the word "person" shall include firms and Corporations, and the masculine shall include the feminine and the neuter. Whenever reference is made in any by-law or any special resolution of the Corporation to any statute or section thereof, such reference shall be deemed to extend and apply to any amendment or re-enactment of such statute or section thereof, as the case may be.

## **16. Dissolution of the Corporation**

Upon the dissolution of the Corporation and after the payments of all debts and liabilities, its remaining property shall be distributed or disposed of to the Canadian Breast Cancer Foundation or local registered charity of the Board's choice.

ENACTED April 15, 2014 by the Board at a meeting duly called for such purpose.

# SECTION 2: RESIDENCY RULES

## 2.1 OWA RESIDENCY RULES

The OWA has declared no residency rule regarding girls' hockey.

## 2.2 WCHA RESIDENT ELIGIBILITY REQUIREMENTS FOR REP PLAYERS

The following guidelines define the requirement of WCHA residency eligibility.

- 1) Town of Whitby boundaries as defined by the Town of Whitby
- 2) Residency status must be established, and documented as per guidelines below:
- 3) A player will be deemed to reside within the WCHA boundaries if:
  - Her parents are living together and are residing within such WCHA boundaries OR
  - Either of the players parents (or her court-appointed legal guardian) reside within such boundaries and the player attends school within the boundaries.

School attendance refers to the physical location the player in question attends school during the traditional academic year. The player must attend a school within the defined Town of Whitby boundaries. Additionally, said player must continue to attend the school within the Town of Whitby boundaries while playing in WCHA.

Residence shall be established by providing the following mandatory documents:

1. Driver's License
2. Tax Bill
3. Homeowner or tenant records
4. Utility bills (i.e., gas, electric, water/sewer, phone, mobile phone, heating, waste disposal)
5. Insurance documents
6. Internet, cable or satellite records
7. Notary Public Affidavit in split residence circumstances, with split residence confirming the player resides within Whitby more than 50% of the time (joint-custody). Note this can also be used as additional documentation in other family or custody orders.

### PLUS

Supporting school documentation records, including school issued report card. School Administration may be contacted to verify information.

### PLUS

2 personal references from an existing member of WCHA.

At the discretion of WCHA Executive, the penalty for violation of this rule may result in the player or coach for said player being disqualified for play within WCHA and no longer a member in good standing.

All documentations must be provided on or before April 1<sup>st</sup> of the current tryout year. All documentation are subject to review and approval by WCHA Executive.



## 2.3 RESIDENT REINTRODUCTION PROCESS

This process introduces a rule affecting WGHA members living in the boundaries of Whitby as defined by WGHA and having been classified as residents and then leaves WGHA only to return in subsequent years. The process is designed intentionally to discourage players from leaving WGHA for the duration of 1 year and then returning the following year to the top level team in any division. The reason this rule is being introduced is to ensure existing WGHA members who remain with WGHA whether they are on the top level team or not, are afforded an equal opportunity to play at the highest level team in a division the following year. Often these players are displaced as a result of players rejoining WGHA after having left for 1 year. The rule helps ensure that players who stay and grow within WGHA are rewarded for that loyalty.

The application of the rule is that any resident player who leaves WGHA to join another association (highest level team or lower. They cannot join the highest level team in their returning year. If the player returns to WGHA after having played elsewhere for two or more seasons this rule does not apply and they are welcome to tryout for the top level team. If the player is a grandfathered non-resident (2<sup>nd</sup> WGHA executive will review any situation independently as required. The most typical reasons that a player leaves WGHA are:

- They are able to join another associations team at the highest level when they felt they were unlikely to be able to do so in WGHA
- The player/parents do not feel confident in the coach, coaches program or executive direction for the highest level WGHA team and would rather join another association at the highest level as a result.

Neither of these would be considered valid reasons to overturn the 'Resident Reintroduction' Rule but these are just two examples. There would be many reasons presented that WGHA executive would not consider valid but these will reviewed individually as presented.

Examples:

- 1) A player leaves WGHA in their Bantam minor year. In their major Bantam year they rejoin WGHA and that year WGHA has teams at AA, A and B only. That player can only tryout for the A and B team upon rejoining. After having played for one year again for WGHA at a lower level then that player can again tryout for any team the following year.
- 2) A player leaves WGHA in their Bantam minor year. In their major Bantam year they rejoin WGHA and that year WGHA has two teams at AA and one each at A and B. That player may be able to tryout for the 2<sup>nd</sup> AA team else the A or B team. The determination of whether the player can tryout for the 2<sup>nd</sup> AA team will be made by the current standing executive. The key factor in allowing that will be whether that 2<sup>nd</sup> Bantam team was chosen as a true #2 team or whether the #1 and #2 teams were chosen to be equal. After having played for one year again for WGHA at a lower level then that player can again tryout for any team the following year.
- 3) A player leaves WGHA as either a minor or major at any division and level. The player may rejoin WGHA the following year at any level of Intermediate. The 'Resident Reintroduction' rule does not apply to players rejoining at Intermediate.

## 2.4 NON RESIDENT GUIDELINES

If the above policy does not apply, then the player would be defined as a WGHA Non-Resident. Non-Resident quotas as established by WGHA Executive for the upcoming season would apply.

At the discretion of WGHA Executive Non-Resident quotas may be established for the upcoming season. The following applies to any non-resident player in WGHA:

### **1<sup>st</sup> Year Non Resident (NR1):**

This is a non-resident player who has been selected to play for a WGHA rep team for the first time and is counted against that team's non-resident quota.

This player will always require a non-resident quota spot.

### **2<sup>nd</sup> Year Non-Resident (NR2):**

This is a non-resident player who has been selected to play for a WGHA rep team in their 2<sup>nd</sup> year with WGHA, where they were a 1<sup>st</sup> year non-resident the season prior.

The second year non-resident must qualify for the tier one team.

This player will always require a non-resident quota spot.

### **Grandfathered Non Resident (GNR):**

This is a non-resident player who has:

- A. Been selected to play for a WGHA rep team in their 3<sup>rd</sup> year (or more) with the WGHA, where they were at a minimum a 2<sup>nd</sup> year non-resident in the season prior.

**OR**

- B. Played for a minimum of two (2) years in WGHA House League Program

**OR**

- C. Who began playing in their first year of Tyke/Initiative must play one year of Novice HL to try out for a rep team.

A GNR player is eligible to play on **any** level rep team provided they have remained a WGHA player in good standing.

**\*\* If a GNR player leaves the WGHA for another association they must satisfy the above GNR conditions again before being allowed to tryout for a representative team \*\***

# SECTION 3: RULES

The Ontario Women's Hockey Association (OWHA) rules and regulations will be enforced except where amended with these WGHA By-Laws. They shall also apply to all persons associated with the WGHA in any capacity. These By-Laws are subject to amendment as provided for in the Constitution of the WGHA.

## 3.2 GENERAL PLAYING RULES

The Rules and Regulations that govern the operation of the Whitby Girls' Hockey Association shall be:

- 1) The Official rulebook of the Canadian Hockey Association, as amended from time to time, and known herein as the CHA.
- 2) The Official rulebook of the Ontario Women's Hockey Association, as amended from time to time, and known herein as the OWHA
- 3) Such further rules and regulations as have been passed and approved by the Executive Council, as amended from time to time, and known herein as the Whitby Girls' Hockey Association (WGHA).
- 4) Such directives as may be published from time to time by all Governmental Bodies: The Canadian Hockey Association, The Ontario Hockey Association, The Ontario Women's Hockey Association and WGHA, for the purpose of improving the sport of hockey.

## 3.3 REGISTRATION AND PLAYER PLACEMENT

3.3.1 All players affiliated with the WGHA must, in ink, sign an OWHA Registration form.

3.3.2 WGHA will operate various divisions in the House league as decided by WGHA Executive Council. Birth dates for playing seasons will be designated as of December 31st.

3.3.3 Each House league division shall comprise a sufficient number of teams as are necessary to accommodate the registered players for each division. Such numbers of teams to be of a quantity to permit equal scheduling of games during the playing season.

3.3.4 Players registered to participate in the WGHA will be appointed to House league Teams, using the player evaluations and survey results as guidelines by the 2<sup>nd</sup> VP/House league Director and his/her committee.

3.3.5 No player will be accepted by WGHA who is signed with any other OWHA sanctioned league, nor will any player registered sign with any other league without first obtaining a written release. The only exception to this would be school hockey.

3.3.6 Players will not be accepted by WGHA while under suspension from any other league.

3.3.7 Players are eligible to play in one division only, unless otherwise approved by WGHA Executive.

3.3.8 The ideal coaching staff will consist of a coach, two assistant coaches and a trainer. It is recommended a trainer of each coaching staff be a woman.

3.3.9 A latecomer to the house league will be placed on a neutral team, if possible, for evaluation before being placed on her final team.

3.3.10 All registered players must have paid their WGHA registration fees prior to the commencement of the WGHA season. Any player who has not paid her registration fees by the commencement of the regular season will not be permitted to play until such time as all outstanding fees are paid. Registration that will be revisited on an annual basis for multiple child discounts and a \$200 discount would be applied against 3+ children from the same family as long as all 3 players are enrolled and play in the House League program for the season (effective 2015-16 season). Families must first pay by Credit Card and get reimbursed.

3.3.11 The boundaries for the purposes of the Whitby Girls Hockey Association are those set out by the Town of Whitby.

3.3.12 All Players registered in the WGHA for the 2006/2007 hockey season are deemed a resident for the purposes of registration for the coming 2007/2008 season. All new non-resident players registering in the WGHA for the 2007/2008 Season will be placed on a 4 (four) year residency term, where in their 4<sup>th</sup> consecutive season they will be deemed a Whitby resident for the purposes of the WGHA.

3.3.13 Any current WGHA player who is not a Whitby resident and who leaves the association, and is released and rosters with another OWHA Association will lose their residency status for the purposes of the WGHA. Please refer to Whitby Girls Hockey Association Non Resident Policy – Working Bylaw for current Season

3.3.14 Any WGHA player who leaves the WGHA and is not released and plays in the OHF, GTHL, or the OMHA will lose any grandfathered residency status with the WGHA.

3.3.15 The Executive Council shall review the number of new non-resident players allowed on each Representative team on a yearly basis, and set

### **3.4 HOUSELEAGUE PLAYING RULES**

3.4.1 This is a non-contact league and contact is prohibited for all levels.

3.4.2 All players will wear approved equipment as per rule 3.10.2, 3.10.3, and 3.10.4. Players in forward and defense positions, while practicing, playing, either on bench or in penalty box for WGHA, will wear skates, shin pads, shoulder pads, elbow pads, hockey gloves, hockey pants, jill, BNQ throat protector, helmet and face mask. Helmets and facemasks must be CSA approved and chinstrap must be fastened. All equipment should be in proper working order. A player lacking this equipment will not be allowed on the ice until they obtain such equipment.

3.4.3 Goalies while practicing and playing for WGHA, will wear skates, goal leg pads, body protector, goal gloves, goal arm pads and chest protector or all-in-one body protector, hockey pants, jill, BNQ throat protector, helmet and face mask. Helmets and facemasks must be CSA approved. Neck guards must be worn. All equipment should be in proper working order. A player lacking this equipment will not be allowed on the ice until they obtain such equipment.

3.4.4 Players may not remove any equipment prior to returning to the dressing room at the completion of the game or practice.

3.4.5 Teams must play their players in rotation. When a violation of this rule is noted, the proper rotation will immediately be re-established. For repeated violations, the coach will be referred to the Program Coordinator and/or the 1<sup>st</sup> VP/House league Director.

3.4.6 Rotation Systems: as per draft coaching philosophy (rulebook).

3.4.7 No game shall commence without an official game sheet, which has been properly filled out. If the game is delayed due to an improperly completed game sheet, a two-minute bench penalty may be assessed. Any late arriving players are to be placed at the bottom of the rotation.

3.4.8 In case of injury to a player or equipment repair, the last player from the previous shift will replace her. Should the player be unable to play her next shift, the team will follow regular rotation rules.

3.4.9 Any house league player, who receives a major penalty and is ejected from the game, will proceed immediately to the dressing room. Other players will serve her.

penalty and the lineup will be shortened accordingly. No player, serving a penalty she did not incur, will sit in the box for more than two (2) minutes. Her team will play short handed for the duration of the 5 minute penalty, but no player shall have to sit out in her place.

3.4.10 Players may not step on the ice until the Zamboni is off the ice and the doors are closed.

3.4.11 At the completion of the game, teams must exit the ice promptly under the direction of the referees.

3.4.12 Each team must have a properly equipped goaltender for each game.

3.4.13 If a goaltender is injured or becomes sick during the game and is unable to continue, the team is allowed five (5) minutes to dress a player and resume the game. When a goaltender designated to play a specific game is unable to play due to injury or illness, the coach may designate another player from his team to play net.

3.4.14 Teams must have six (6) skaters plus a goalie to have a legitimate game. Any team having less than 6 skaters may call up a maximum of two (2) players from the next lower age division. No call-ups will be allowed during round robin and championship games, unless approved by the House League Directors.

3.4.15 Representative team exhibition games with boys' teams and leagues not sanctioned with the OWHA must receive approval from the 1<sup>st</sup> VP/GM Hockey Operations (48 hours minimum notice must be given).

### **3.5 REPRESENTATIVE TEAM RULES**

3.5.1 Representative teams will be permitted only on the authorization of the WGHA Executive Council.

3.5.2 The WGHA will be responsible for the organization and collection of funds for the on-ice try-outs. Head coaches will be responsible for handing out team information.

3.5.3 Players registered with the OWHA, but not the WGHA, in the previous year must have Permission to Skate or Release Forms signed by last year's association to go on the ice.

3.5.4 Player releases from a representative team will be conducted in a humane and compassionate manner.

3.5.5 WGHA Tier I, Tier II and Tier III Representative team players will not play in the WGHA House League Program. Tier 1,2,3,and 4 are defined as the highest rated representative teams at any given age division.

3.5.6 Representative team players must play in their own age group unless there are insufficient numbers to form complete teams at that age group, based on the current year registration.

3.5.7 Players interested in playing on the Second, Third, or Fourth representative teams must first obtain a coach's release from the higher rated teams in their own age division.

3.5.8 Once a player has been signed to a representative team, the coach and player are mutually committed for the year. Extenuating circumstances may be brought to the 1<sup>st</sup> VP/GM Hockey Operations, which will be presented to WGHA Executive Council for review.

3.5.9 Representative coaches must provide to the 1<sup>st</sup> VP/GM Hockey Operations and Parents an estimated budget of expenses by November 30, Feb 28, and 1 week after the end of the OWHA Provincial Championships.

3.5.10 Representative teams will be managed in an organized manner and communication to the parents will be done in writing when necessary.

3.5.11 Representative teams will give all players (parents) a proposed budget and season itinerary. Possible tournaments, leagues and costs to play should be known to all participants prior to the final team roster being chosen.

3.5.12 Representative teams are expected to enter the WGHA tournament.

3.5.13 Representative teams must submit an interim Income/Expense Statement by December 31 and a year-end Income/Expense Statement to the WGHA and a copy is to be given to the 1<sup>st</sup> VP/Representative Director on or before the end of the season.

3.5.14 Representative teams financial records are subject to review at any time by WGHA Executive Council.

3.5.15 Representative bills must be paid within 10 days of billing date.

3.5.16 The coach will inform the 1<sup>st</sup> VP/Representative Director of all scheduled games, scores of games, penalties and suspensions during a game.

3.5.17 Representative coaches must attend all meetings relating to the centre of which they are playing in, and comply with the by-laws and rules and regulations of that association.

3.5.18 Representative team exhibition games with boys' teams and leagues not sanctioned with the OWHA must receive approval from the 1<sup>st</sup> VP/Representative Director and the OWHA (48 hours minimum notice must be given).

3.5.19 The Representative team sweaters shall be the responsibility of the coaching staff. The white jerseys will be our home sweaters and the blue jerseys will be the visitor's sweaters. They are not to be given out to the players except for use during the games.

3.5.20 Representative jerseys are to have a Canada Flag sewn on the left shoulder, centered 1" above the left shoulder seam.

3.5.21 Sponsors names may be used on competitive team sweaters across the back of the shoulders as well as the player's names BUT these MUST be affixed using SPONSOR BARS and only after approval of the WGHA and must be done by an approved supplier.

These must be REMOVED prior to returning the jerseys at the end of each season. Should any team not obtain the approval of the WGHA (the Equipment Director; in writing) then said team will be responsible for the entire cost of replacing the jerseys.

3.5.22 Jerseys may have a temporary name patch, sewn on across the back of the jersey, which must be removed at the end of the season. Captain and Assistant Captain designations may also be applied in the same manner.

3.5.23 Anything that bears the WGHA crest must be approved by the WGHA Executive Council. (i.e. sweaters, jackets, sweats & etc.)

3.5.24 If a player is to be called to play in a higher category or age division on a Representative team her coach must be called first, before the player is asked. The player's coach must give written permission for a member of his/her team to play as a call-up, using a signed OWHA Call-Up Form. The asking coach may seek three (3) additional players only to reach a maximum of 12 players, including goalies.

3.5.25 No call-up players are allowed for Provincial play-downs or Championship games. Tournament Directors also have the right to refuse call-up players to team rosters. Goalies may be exempted from this ruling.



## **3.6 SUSPENSIONS**

3.6.1 OWSHA protest rules will apply as outlined in the CHA Rule book, with the exception of the following: WGHA will establish a Discipline Committee to deal with all discipline issues as they occur under the Chairperson of the Referee-in-Chief, consisting of the President, 2<sup>nd</sup> VP/House league Director, the 1st VP/Representatives Director, and/or Director of Coach and Player Development

3.6.2 Any player having been ejected from any game, either House League or Representative shall be automatically suspended from further competition and the Discipline Committee will be made aware of all suspensions within 24 hours of occurrence or return from tournaments. Any member of WGHA wilfully violating the Constitution, by-laws, Code of Conduct or Playing Rules of WGHA or refusing to abide by the decision of the Executive Council shall be subject to suspension by the Discipline Committee.

3.6.3 Any coach, assistant coach, manager, trainer, player or team official receiving major or misconduct penalties, may be subject to further suspension at the discretion of the Discipline Committee. Additional incidents will result in further disciplinary action.

3.6.4 Any player, while playing as a call-up player, who receives a suspension, must serve her suspension in her own team's scheduled games. No other game, in which she is a call-up player, may serve to satisfy the suspension.

3.6.5 Anyone under a suspension, who knowingly participates in a game, will be suspended indefinitely pending a WGHA hearing, and the team will automatically forfeit the game(s) in question. Any coach or team official, who knowingly plays a player under suspension, will themselves be suspended indefinitely, pending a WGHA hearing.

3.6.6 The referees are in charge of the game, and persistent and/or inappropriate questioning of their decisions, or harassment, during a game will not be tolerated. Justifiable complaints may be made in writing to the Executive Council. The Executive Council's decisions shall NOT be subject to appeal.

3.6.7 Any coach, assistant coach, manager or trainer refusing to finish a game, or leaving the bench in protest may receive a suspension up to one calendar year.

3.6.8 Any player incurring a total of three (3) or more stick penalties during the same game shall be ejected from the game.

3.6.9 The referee on duty, the Referee-in-Chief, the Program Coordinator or any member of WGHA Executive Council may put any coach, assistant coach, manager, trainer or player on report for her/his conduct off the ice in the arena. The Discipline Committee shall determine the suspension given.

3.6.10 Use of any tobacco product by any WGHA personnel, member or player is not permitted on the bench, on the ice, or in the dressing rooms. The referees or Executive Council will issue a warning for the first offense, a bench penalty for the second and a game misconduct for each subsequent offense. Further offenses shall be brought before the Executive Council.

3.6.11 Inebriation while in charge of a team or participating in a game will not be tolerated.

Drugs and alcoholic beverages are not permitted in the arena and any player or team official found to be in violation of this rule would be immediately suspended until his/her case has been reviewed by the Executive Council.

3.6.12 Any coach, assistant coach, manager, trainer or player in attendance at a game while under suspension may not go near the team's dressing room or player's bench and will conduct themselves in a proper manner. If this rule is not obeyed, the suspension may be increased at the discretion of the Discipline Committee.

3.6.13 Any coach, assistant coach, manager, trainer or player receiving a game or match penalty during a game or after a game, while still part of that event, must be reported to the 1<sup>st</sup> VP/GM Hockey Operations immediately without delay. The WGHA Discipline Committee will be notified without delay. The game sheet is to be forwarded within 24 hours to the 1<sup>st</sup> VP/Representative Director for any further disciplinary action and/or hearing.

3.6.14 All game sheets from any competitive team that have major penalties, fighting or game suspensions, must be given to the 1<sup>st</sup> VP/GM Hockey Operations within 48 hours from returning from a tournament, exhibition, or league game for review, and any suspension may be further increased by the Discipline Committee. Failure to adhere to this rule may result in the coaching staff being suspended from all games, including exhibition games until such game sheets are submitted.

### **3.7 GAME PROTESTS**

3.7.1 All protests must be in writing, accompanied by an appeal fee of Fifty Dollars (\$50.00) and be presented to a member of the Discipline Committee within 48 hours of completion of the game in question. The appeal fee will be refunded if the protest is upheld.

### **3.8 HOUSELEAGUE PLAYOFFS**

3.8.1 WGHA shall conduct playdowns in all series under its jurisdiction to declare a Divisional Champion.

3.8.2 Playoff rules will be distributed to participants prior to the start of playoffs.

3.8.3 See House league Handbook for further details.

### **3.9 HOUSELEAGUE AWARDS**

3.9.1 All Play-off participants will receive individual awards. These shall be presented to all players and coaches, and to the sponsors. All registered bench staff will receive a letter of recognition or appreciation from the WGHA.

3.9.2 All play-off finalists (with the exception of tyke/novice division) will receive a "Finalist" award. These shall be presented to all players, coaching staff (up to 4) and to the sponsor. All Sponsors will receive a Team Picture plaque from the WGHA as per the Sponsorship Director.

### **3.10 EQUIPMENT**

3.10.1 WGHA Executive Council MUST approve anything that bears our crest (i.e.: sweaters, jackets, sweats etc.)

3.10.2 Players in forward and defense positions must wear skates, shin pads, shoulder pads, elbow pads, hockey gloves, hockey pants, Jill, BNQ throat protector, helmet and face mask which are CSA approved. A player lacking this equipment will not be allowed on the ice until they obtain such equipment.

3.10.3 Goalies must wear skates, goal leg pads, body protector, goal gloves, goal arm pads and chest protector or all-in-one body protector, hockey pants, Jill, BNQ throat protector, helmet and face mask. Helmets and facemasks must be CSA approved.

Neck guards must be worn. All equipment should be in proper working order. A player lacking this equipment will not be allowed on the ice until they obtain such equipment.

3.10.4 All player uniforms must be worn in their entirety. All House league players will wear their sweaters of the appropriate sponsor for all games. Representative team players must wear their socks and sweaters of the appropriate sponsor for all games.

# **SECTION 4: CODE OF CONDUCT**

## **4.1 CODE OF CONDUCT**

This Code of Conduct identifies the standard of behaviour, which is expected of all Whitby Girls' Hockey Association (WGHA) members, including athletes, coaches, parents, directors, volunteers, staff and chaperones. WGHA is committed to providing a sport environment in which all individuals are treated with respect. Members of WGHA shall conduct themselves at all times in a fair and responsible manner. Members shall refrain from comments or behaviors that are disrespectful, offensive, abusive, racist or sexist. In particular, behavior that constitutes harassment or abuse will not be tolerated by WGHA. During the course of all WGHA activities and events, members shall avoid behavior that brings WGHA or the sport of Women's Hockey into disrepute.

WGHA members shall at all times adhere to WGHA's constitution and bylaws, to rules governing WGHA events and activities and to rules governing any competitions in which the member participates on behalf of WGHA.

Members of the WGHA shall not engage in any activity or behaviour which interferes with a competition or with any athlete's preparation for a competition, or which endangers the safety of others. Failure to comply with this Code of Conduct may result in disciplinary action in accordance with the Discipline policy of the WGHA. Such action may result in the member losing the privileges that come with membership in WGHA, including the opportunity to participate in WGHA activities.

## **4.2 STAND ALONE HARASSMENT AND ABUSE POLICY**

WGHA is committed to providing a sport and work environment that promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination that is prohibited by human rights legislation in Canada. In its most extreme forms, harassment can be an offence under Canada's Criminal Code.

This policy applies to all members including directors, officers, volunteers, coaches, athletes, officials, parents and members of the WGHA. It applies to harassment that may occur during the course of all WGHA business, activities and events. This policy shall not prevent a person in authority from taking immediate, informal, corrective disciplinary action in response to behaviour that, in their view, constitutes a minor incidence of harassment.

### **4.3 STANDARD OF BEHAVIOUR**

Harassment is defined as conduct that is insulting, intimidating, humiliating, offensive or physically harmful. Types of behaviour which constitute harassment and abuse include, but are not limited to:

- Unwelcome jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation
- Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
- Unwanted or unnecessary physical contact including touching, patting or pinching
- Unwelcome flirtation, sexual advances, requests or invitations
- Any form of hazing
- Any form of physical assault
- Any sexual offence including sexual assault
- Behaviours such as those described above which are not directed towards individuals or groups but which have the effect of creating a negative or hostile environment
- In the case of minors, abuse and neglect are as defined in Provincial/Territory child protection legislation

When any member has a reasonable belief that a minor is being abused or neglected, he/she shall report this belief to authorities, pursuant to the provisions of the Act, and shall advise the Executive.

WGHA shall take no further action until such time as child protection authorities and/or police have concluded their investigation. The matter shall then be dealt with as a disciplinary matter pursuant to this policy, and the report of the investigation carried out by authorities may be used as evidence in these proceedings.

### **4.4 RECEIVING A COMPLAINT**

A person who experiences harassment, any person who witnesses harassment, or any person who believes that harassment has occurred is encouraged to make it known that the behaviour is unwelcome, offensive and contrary to this policy. If confronting the harasser is not possible, or if after confronting the harasser the behaviour continues, the person who has experienced the harassment, who has witnessed the harassment, or who believes that harassment has occurred should report the matter to an official of WGHA. For the purposes of this policy, an official is any person in a responsible staff or volunteer position with the organization.

Once an incident is reported, the role of the official is to serve in a neutral, unbiased capacity in receiving the report of the incident, advising the parents or guardians of the incident (if the person who has experienced the harassment is a minor), and assisting in an informal resolution of the complaint, where this is appropriate.

If the official considers that he or she is unable to act in this capacity, the complaint shall be referred to another official who is able and willing to assist.

#### **4.5 FACT FINDING**

If informal resolution of the complaint is not appropriate or possible, and if the person who has experienced or witnessed the harassment, or who believes that harassment has occurred decides to pursue a formal complaint, the official shall receive this complaint and shall provide a copy to the Executive or WGHA.

Once the complaint has been reported to the Executive, the official shall then gather facts surrounding the incident by speaking directly with the complainant and the person against whom the complaint (the “respondent”) is made, and any witnesses who in the opinion of the official, might have relevant facts or observations about the incident.

In addition to providing information to the official, the respondent shall have the opportunity to provide a written statement to the official, if he or she wishes. The official in a written report shall summarize the results of the fact gathering. Upon completion of the fact gathering stage, the official shall provide copies of the complaint and his/her factual report to the Executive or WGHA.

#### **4.6 PROCEDURES FOR REVIEWING COMPLAINTS**

**Within 48 hours of acknowledged receipt of these documents** , the Executive shall decide if the complaint should be dealt with informally, in which case it shall direct the appropriate response and the matter shall then be concluded.

If the Executive determines that the complaint should be dealt with by means of a hearing, it shall appoint three individuals to serve as a Panel, and shall appoint one of these individuals to serve as the Chairperson of the Panel.

The Executive shall then, at its sole discretion, and having regard to the nature of the complaint and the potential seriousness of the outcome, determine which of the following procedures shall be used by the Panel to review the complaint:

The Panel shall review the statement of the complainant, the documentation provided by the official and the statement of the respondent and shall render a decision.

The Executive of WGHA shall appoint an outside investigator who shall conduct a formal investigation of the incident and shall provide a written report to the Panel. The Panel shall consider this report, as well as the statements of the complainant and the respondent, and the report of the official, and shall then render a decision.

The Executive shall appoint an outside investigator who shall conduct a formal investigation of the incident and shall provide a written report to the Panel. The Panel shall review this report at a hearing with the complainant and respondent present, may ask questions of the complainant and respondent, and may allow the complainant and respondent to ask questions of each other. Following the hearing, the panel shall render its decision.

The Panel shall convene a hearing involving the complainant, respondent and witnesses. The parties shall have an opportunity to present evidence and to cross-examine each other and witnesses. At the conclusion of the hearing, the panel shall render its decision.

In holding a hearing, the Panel shall govern the hearing by such procedures as it may decide.

If at any point in these proceedings, the complainant becomes reluctant to continue, it shall be at the sole discretion of the Executive to continue the review of the complaint in accordance with this policy.

After reviewing and deciding any harassment matter, the Panel shall present its findings in a report to the Executive with a copy provided to both the complainant and respondent. This report shall contain:

- A summary of the relevant facts;
- A determination as to whether the acts complained of constitute harassment or abuse as defined in this policy;
- Disciplinary action to be taken, if the acts constitute harassment or abuse; and
- Measures to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute harassment or abuse.

#### **4.7 IMPOSING DISCIPLINARY SANCTIONS**

The following circumstances and other factors should be considered while determining the appropriate sanction;

- The nature and severity of the harassment or abuse
- Whether the harassment or abuse involved any physical contact



- Whether the harassment or abuse was an isolated incident or part of an ongoing pattern of behaviour
- The nature of the relationship between the complainant and harasser
- The age of the complainant
- Whether the perpetrator had been involved in previous harassment incidents
- Whether the perpetrator admitted responsibility and expressed a willingness to change
- Whether the perpetrator retaliated against the complainant

In recommending disciplinary sanctions, the Panel may consider the following options, singly or in combination, depending on the nature and severity of the harassment or abuse:

- Verbal apology
- Written apology
- Letter of reprimand from the organization
- A fine or levy
- Referral to counseling
- Removal of certain privileges of membership or employment
- Expulsion from membership
- Publication of the details of the sanction
- Any other sanction which the Panel considers appropriate

The Executive of WGHA may determine that the alleged offence is of such seriousness as to warrant suspension of the member from WGHA pending a review of the complaint.

## **4.8 APPEAL MECHANISM**

Both the complainant and respondent shall have the right to appeal the decision of the Panel. A notice of intention to appeal, along with grounds for the appeal, must be provided to the Executive within 14 days of the complainant or respondent receiving the Panel's decision.

A permissible ground for an appeal is:

The Panel did not follow the procedures laid out in this policy; Members of the Panel were influenced by bias; or

The Panel reached a decision which could not be supported by the evidence, or which was grossly unfair or unreasonable.

The appeal shall be heard by the Executive, who shall base its decision on a review of the documentation surrounding the complaint, including the complainant's and respondent's statements, the report of the official, the report of the investigator and/or the report to the Panel, and the notice of appeal.

In deciding the Appeal, the Executive shall have the authority to uphold the decision of the Panel, to reverse the decision of the Panel, and/or to modify any of the Panel's recommendations from disciplinary action or remedial measures.

The decision of the Appeal Body shall be final and binding, and not open to any further intervention by any court within exception of a review in accordance of the rules of arbitration set out in Alternate Dispute Resolution Program For Amateur Sport.

In extraordinary circumstances, and at its sole discretion, the Panel may abridge or extend the timelines in this policy.

WGHA recognizes the sensitive and serious nature of harassment and abuse, and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, WGHA will do so. It is also the policy of WGHA to allow publication of the decision of the Panel, where the acts complained of constitute harassment.