



DISCIPLINE AND COMPLAINT POLICY

Adopted by CCC Board: March 2019

Background

The Cobourg Cycling Club (CCC) was formed to promote cycling within the local community for the benefit of its members. As such the CCC expects its members to honour this tradition with an attitude and behaviour that demonstrates both positive cycling values and respect for other members and their property, including the general public, at all times for CCC sanctioned events. The Club will not be liable for any actions of members who do not adhere to its membership policies, by-laws and guidelines.

Goal

The CCC has a Code of Conduct for all members. Members are expected to strive to create and maintain an environment that is free from harassment or discrimination of any form. In this context, harassment is defined as any action directed at an individual or group that creates a hostile, intimidating or offensive environment. Discrimination is defined as not respecting the rights and dignity of every member of the CCC equally, irrespective of gender, ethnic origin, age, sexual orientation or religion. The CCC has a policy of zero tolerance towards any violations of it.

The CCC through its Board of Directors will formally work towards resolution of violation and complaints in a confidential, timely manner. All members will be considered to be "in good standing" unless a complaint is lodged towards them. At this point in time the Board will make an evaluation of the member's status based on the evidence available and a report completed by the Investigation Committee. The Club will work within the Canadian Human Rights Act to protect its members, the public and itself.

Purpose

The purpose of this policy is to provide an acceptable relevant framework within which the following questions are considered as primary guides:

Will the behavior cause or have the potential to cause harm or damage?

Will the behavior cause or have the potential to cause harm to the reputation of the Club?

Does the behavior create or have the potential to create tension, disharmony or disunity within the Club?

Could the behavior be considered to be discrimination or harassment as defined above?

If the answer to any of these questions is 'yes', the behavior is likely to be unacceptable.

Categories and Examples of Unacceptable Misconduct

Misconduct

Disrespectful, abusive, racist, or sexist comments or behaviour/conduct
Minor incidents of aggression (e.g., tripping, pushing, elbowing, etc.)
Conduct contrary to the values of the Club
Non-compliance with the Club's policies, procedures, rules, or regulations
Minor violations of the Club's Code of Conduct
Misrepresentation, including withholding of facts or information, to the Board

Gross Misconduct

Repeated minor misconduct incidents
Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
Major incidents of violence (e.g., fighting, attacking, sucker punching, etc.)
Pranks, jokes, or other activities that endanger the safety of others
Conduct that intentionally damages the Club's image, credibility, or reputation
Consistent disregard for the Club's bylaws, policies, rules, and regulations
Major or repeated violations of the Club's Code of Conduct
Intentionally damaging Club property or improperly handling the Club monies
A conviction for any Criminal Code offense

Note: A misconduct may be considered gross misconduct depending on the incident.

Protection & Confidentiality

The CCC will seek to protect the identity of the complainant. It will also seek to protect the person implicated in the complaint by blocking the implicated person from participating in all CCC sanctioned events until a resolution is reached. This member will be considered to be "not in good standing".

Withdrawal of Complaint

With explanation to the Disciplinary Chair a complainant may withdraw a complaint at any time. In such case the Board will consider the case resolved.

Sanctions During Investigation

A member considered not in good standing will neither be able to participate in CCC sanctioned events or represent the club in any way. Breach of this will be considered cause for expulsion from the Club for the balance of the year. Once a positive resolution has been reached membership in good standing status will be reaffirmed.

Grievance and Disciplinary Process

Any individual may report an incident or complaint to the Ride Leader verbally and/or Disciplinary Chair (DC, CCC President or Vice-President) in writing, within fourteen (14) days of the alleged incident. This timeline can be waived or extended at the DC's discretion. Verbal complaints addressed during a ride can be pursued further, if the individual is unsatisfied with the resolution, by contacting the DC within the required timeline. At the CCC's discretion, the CCC may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the CCC will identify an individual to represent the CCC.

The Club regularly receives feedback on its website or directly to ride leader or board members about the conduct of its members on Club rides. Not all feedback requires in-depth investigation. However, if action is required the member(s) involved will be asked to address the

issue and if necessary take action to prevent the incident from occurring again. Whether or not an incident requires action will be determined by the Ride Leader, DC or the organizer of the event.

Stages of Progressive Discipline

The stages that may be followed when discipline is deemed necessary include the following:

Verbal or written reprimand

Verbal or written apology

Removal of certain privileges including change in standing of membership (ie. removal of term "good")

Suspension from certain teams, events, and/or activities

Suspension from all Club activities for a designated period of time

Payment of the cost of repairs for property damage

Permanent expulsion from the Club

Any other sanction considered appropriate for the offense

Misconduct Investigation & Disciplinary Process

In cases of the occurrence of **minor misconduct** the Club will seek to resolve issues in a timely manner with the DC, or his/her designate, completing both an investigation and resolution process. If a resolution can be achieved to the mutual satisfaction of the Club and parties involved then the issue will be considered "resolved for now". The Club will continue to monitor and if another misconduct occurs then the status will be changed to "unresolved", and automatically become a gross misconduct.

In cases of **gross misconduct** the CCC Board of Directors will appoint an 'Investigation Committee' (ie IC) which would be comprised of three Club members, including the DC, or designate. Members of this IC would consider themselves neutral or unbiased (ie "not directly involved" with either the incident or parties involved). The implicated member(s) involved would be asked to explain what had happened to the IC. The IC would investigate the incident by consulting witnesses and gathering evidence so as to understand and report back to the Board on the issue. Any implicated member who was involved in this disciplinary process would have the right to bring as much evidence to the IC as they felt necessary to support their position in the case of a dispute. This could include witnesses, notes, photos, etc. The IC would review the evidence with all those involved in the incident(s) and prepare a report of findings, conclusions and recommendations. The IC would present this report to the Board at the next scheduled board meeting, or if of a more urgent nature, at a specially convened Board meeting. Any proposed disciplinary action(s) would have to be approved by the Board. Once these had been ratified by the Board, they would be communicated back to membership. In the case of a dispute, the implicated member(s) could appeal within 7 days to a second Arbitration Team of three different Board appointed Club members who will re-examine the case and report back to the Board. At this point the Board's decision would be final. The DC would inform the respondent of the sanction, which will take effect immediately. Records of all sanctions will be maintained by the CCC Board.

Gross Misconduct could result in temporary or permanent expulsion from the Club and if necessary, involvement of the Police. The CCC Discipline and Complaint Policy is intended to ensure members behave in a way that demonstrates respect through brevity and plain language.