

## APPENDIX A

### CLMHA Standard Code of Conduct

CLMHA is committed to ensuring and emphasizing respectful behaviour and conduct, both on and off the ice, which emulates Hockey Alberta's Abuse and Harassment Policies. These values shall eliminate any disrespectful conduct and discriminatory practices including abuse, neglect and harassment from all elements of the game or events outside of the game.

Violations by any Executive Member, Director, Member, Parent, Fan, Player, Manager, Coach or other Participant of any provision of the CLMHA Code of Conduct may result in disciplinary action being taken by CLMHA against such an individual as provided in the Discipline Policies of CLMHA (APPENDIX B).

The CLMHA Code of Conduct shall include, but shall not be limited to, the following principles:

1. Players and any participant of CLMHA shall abide by the By-Laws and Regulations set forth by CLMHA and their behaviour shall mirror the spirit of the By-Laws and Regulations and this Code of Conduct;
2. The Fair Play Pledge as supported by CLMHA and the Hockey Canada;
3. All members and participants of CLMHA shall respect other Members, Officials, Parents, Players, Fans, Team Officials, Volunteers, Executive Committee Members, the Board of Directors, Employees and Property of CLMHA. Any inappropriate conduct, threats, harassment or abuse (including the use of profanity) directed towards Game or Team Officials, Members, Parents, Players, Fans, Volunteers, Board Members, Executive Committee Members, Employees, or damage to the property of CLMHA or of another Association or facility will not be tolerated;
4. All Members, Fans and Participants of CLMHA shall respect the game of hockey and shall behave in a manner so as not to make a travesty of the game or of CLMHA;
5. CLMHA will not tolerate inappropriate behaviour by Parents or Fans, Players, Managers, Assistant Coaches or Head Coaches. Individuals exhibiting inappropriate behaviour shall be subject to disciplinary action as outlined in the disciplinary section within Appendix B. All Players and members shall be solely responsible for their participation in which they are related to and any monetary and non-monetary damages that may occur;
6. Under no circumstances is a Parent or Fan to enter the opposing team's dressing room, unless invited by the opposing team official;
7. Coaches and other team officials, Players, Parents and Fans are not permitted in the officials' dressing room, nor are they permitted to confront game officials about the game at any time; and
8. Functions carried out by CLMHA shall be at the sole responsibility of the teams involved and not the responsibility of CLMHA.

### Executive Committee and Board of Directors Code of Conduct

This Code of Conduct shall apply to all Members of the Executive Committee and Board of Directors whether elected or appointed. The Code of Conduct does not attempt to define or list all items of acceptable or unacceptable conduct. The Code of Conduct should be interpreted as minimum standards of behaviour with the Executive Committee Members and the Board of Directors shall observe. Violation of the Code of Conduct, or any

such conduct deemed inappropriate, by an Officer of the CLMHA may lead to a review by the Executive Committee and or the Disciplinary Committee for possible exoneration, reprimand or expulsion.

1. Conduct toward the CLMHA:

- a. The Executive Committee and the Board of Directors shall adhere to CLMHA policy and regulation and seek to change such policy and regulations in accordance with the good governance of a public board. Any such proposed amendment(s) shall be put to the Executive Committee and the Board of Directors and voted in by Special Majority. If by Special Majority the amendment(s) pass, the Executive Committee shall cause the matter to be confirmed by Hockey Alberta. If Hockey Alberta confirms the amendment(s) the Executive Committee shall cause the matter to come before the General Membership by calling a General Meeting and the calling the matter to vote by a Simple Majority. If by Simple Majority the matter is passed, the Executive Committee shall cause the matter to be published and posted on CLMHA website.
- b. The Executive Committee and Board of Directors shall maintain the integrity of the CLMHA at all times and shall not initiate or participate in any activity that calls in to question the integrity of their respective position, the Executive Committee and or the Board of Directors in general or as a whole or place the CLMHA's integrity in disrepute;
- c. The Executive Committee shall honour commitments made on behalf of the CLMHA as long as such commitments are in the best interests to the CLMHA;
- d. The members of the Executive Committee and Board of Directors, in part or by whole, shall not divulge to any member of the public any item raised at an Executive Committee Meeting or Meeting of the Board of Directors unless during a Meeting of the Executive Committee and Board of Directors a Member is expressly called upon by the attending Members to do so for the purpose of the Business & Administration or the Hockey Operations of the CLMHA; and
- e. A Member of the Executive Committee and Board of Directors shall volunteer their resignation from their position immediately if they become unable to fulfill their duties or obligations of their respective position which shall include their obligation to uphold the integrity of the Executive Committee, the Board of Directors and CLMHA;
- f. Executive Committee Members and Board of Director Members shall attend all General Meetings and any such other meeting that is called upon and required for their position unless there is compelling reason for their absence.

2. Conduct toward the fellow Members of the Executive Committee and Board of Directors:

- a. The Executive Committee and Board of Directors owe a fiduciary duty to each other and to the CLMHA and shall comply with such fiduciary obligations;
- b. The Executive Committee and Board of Directors shall not criticize the conduct of another Member except to that Officer or the President. The President shall then inform the Officer of such questionable conduct if the Complainant did not initially raise the same with the Officer. The President shall then inform the Executive Committee of such questionable conduct and recommend immediate action if the circumstances warrant immediate action such immediate action must be held by Special Majority of the Executive Committee. The questionable conduct then shall come before the Board of Directors to ratify the immediate action or revisit the matter;
- c. The Executive Committee and Board of Directors shall not comment, render opinion or decisions, with respect to the business or operations that does not fall within their duties to any Member or member of the public;

- d. The Executive Committee and Board of Directors shall refer any issue from the General Membership or public member at large to the appropriate Executive or Director; and
- e. The members of the Executive Committee and Board of Directors shall not in whole or in part undermine the confidence of any Member of the Executive Committee or Board of Directors.

3. Conduct toward the General Membership:

- a. The members of the Executive Committee and Board of Directors shall fulfill their duties and obligations in accordance with their elected or appointed position to the best of their ability and thereby serve the best interests of all such participants within the CLMHA;
- b. The members of the Executive Committee and Board of Directors shall treat Members with dignity and respect and shall be considerate of their circumstances;
- c. The members of the Executive Committee and Board of Directors shall use their elected or appointed position for personal profit or for the profit of any immediate family member;
- d. The members of the Executive Committee and Board of Directors shall not use their elected or appointed position to influence the placement of any player as players shall be placed in accordance with their individual skill and what is deemed fair for that player for development purposes; and
- e. The members of the Executive Committee and Board of Directors shall not use their elected or appointed position to influence the selection of any coach or team official.

## APPENDIX B

### Discipline and Violations of By-Laws and Regulations of CLMHA

1. Discipline and Violation:

Any Member of the Executive Committee and Board of Directors, Hockey Team, Player, Coach, Team Official, Manager, Trainer, Official, Employee, Contracted Individual or Parent that violates or breaches a By-Law, Rule and or Regulation is subject to the discipline as set out herein.

2. Report and Investigation:

Upon the learning of an alleged violation or breach of the By-Laws, Rules and or Regulations, the Discipline Committee shall forthwith begin the investigative process set by the CLMHA Regulations.

- a. The President, VP of Business or VP of Hockey Operations and the required Director(s) shall investigate the alleged violation or breach as to the particulars thereof and report the findings to the Discipline Committee. The investigation shall make best efforts to disclose the complainant, the alleged violation and or breach and any supporting evidence that may corroborated the alleged violation or breach and any such information shall be disclosed to the Discipline Committee to ensure they have the appropriate information to render a fair assessment of the incident. A fair assessment shall be fair for the Complainant and the alleged Offender; and
- b. In the event of any individual identified within #1 above being accused of the following improprieties the individual may be suspended immediately, or such other appropriate immediate action, at the discretion of the Executive Committee until such time that the Discipline Committee renders a decision:
  - i. Breach of confidentiality;
  - ii. Physical, emotional, or sexual abuse of players or other volunteers;
  - iii. Libel or slander of players or other volunteers;
  - iv. Dishonest about their conduct or previous record or relevant civil or criminal convictions or about current relevant charges or investigations pending;
  - v. Misrepresentation of credentials, qualifications, or references;
  - vi. Gross misconduct or insubordination;
  - vii. Being under the influence of alcohol or drugs while in performance of a duty to the CLMHA or volunteer assignment;
  - viii. Falsification, destruction or removal of records;
  - ix. Illegal, violent or unsafe conduct;
  - x. Abuse or mistreatment of players, staff or volunteers;
  - xi. A player or team official who receives excessive game misconducts, gross or match penalties;
  - xii. A coach, who in the opinion of the team Manager or Division Director, is being assessed too many bench penalties or penalties of a serious nature;
  - xiii. Any member of the CLMHA or their guests who repeatedly bring discredit to a team, team official or the CLMHA through frivolous and vexatious actions, violent, abusive or gross behaviour, on or off the ice; and
  - xiv. Failure to abide by the CLMHA By-Laws and Regulations.

- c. The standards of behaviour are communicated and may be updated throughout each hockey season. It is recognized that behaviour may transgress outside acceptable standards and that disciplinary action may be required. Such discipline may be applied to any Member of the CLMHA including those identified in the aforementioned #1 above and spectators and may take the form of, but not limited to:
  - i. A verbal reprimand;
  - ii. A written reprimand;
  - iii. A demand for an apology, either written or verbal, to any affected party;
  - iv. A suspension from participation in or at Association activities;
  - v. Continued participation in the CLMHA under a discipline contract;
  - vi. A request for damages or compensation for CLMHA damages;
  - vii. Expulsion from the CLMHA for term to measured reasonably given the substantiated complaint; and
  - viii. A combination of two (2) or more of the above.
- d. The result of any discipline action taken may affect a Member's current standing or future appointment as a team official. The non-observance or non-performance by a person of any sanction or discipline imposed by the Discipline Committee shall be deemed a breach of the CLMHA Code of Conduct and shall be subject to further review by the Discipline Committee.

### 3. Discipline Committee's Structure and Authority:

The Discipline Committee shall:

- a. Be formed by the President in consultation with the Executive Committee to deal with a specific complaint(s);
- b. The President shall be the Chairperson of the Discipline Committee and in the event that the President is not able to sit as the Chairperson then the Director at Large shall sit as the Chairperson. The President shall ensure that the Discipline Committee is comprised of persons who are not in a conflict of interest concerning firstly the alleged Offender and if possible the Complainant to the exclusion of the Chairperson who shall not have vote. If three (3) members cannot be confirmed, the Executive Committee shall seek such non-conflicted persons from the General Membership;
- c. Review the complaint or report and determine if an Informal Process or Formal Hearing is required. The Discipline Committee shall make this decision with 10 days of its formation;
- d. The Committee Chair shall confirm the Discipline Committee's recommendation in writing within 48 hours of an Informal Process or Formal Hearing to the Executive Committee. The President shall then notify the Board of Directors in writing of the recommendation and the calling of a General Meeting if necessary to review the matter; and
- e. Extend for a term of one (1) year.

### 4. Complaint Procedure:

- a. A complaint may be raised by any Member of the CLMHA, by Members of another Association through their Association's Executive, by League Officials or by Members of the CLMHA Executive Committee acting in response to a report from game Officials or by any other party;
- b. A complaint shall be in writing and shall identify the time, place and participants as well as provide a summary of the incident. An Incident Report Form shall be used for ease of

reference and structure to outline a complaint. These forms shall be made available through the CLMHA website;

- c. There may be circumstances wherein the Executive Committee, on their own motion or by motion of the Board of Directors, choose to engage the Discipline Committee to investigate and render a decision on an incident even though a formal complaint has not been lodged; and
- d. CLMHA shall not entertain legal representation at any meetings unless the CLMHA requires a lawyer present to assist with interpretation of the By-Laws, Regulations or a specific matter before the CLMHA.

5. Informal Process:

- a. If by Simple Majority the Discipline Committee believe that the matter can be dealt with on an informal basis without the necessity of a hearing, the committee may investigate the complaint, including accepting verbal or written submissions from the Complainant, the Respondent (person(s) being investigated), and such other persons as may be required to ensure a fair and reasonable decision is rendered. The Discipline Committee shall provide written notice of its decision to the Complainant and the party investigated within a reasonable time but not longer than 10 days except under exceptional circumstances. Should either the Complainant or the party being investigated feel that the informal process has not satisfactorily resolved the matter, either may request in writing that the Discipline Committee undertake a Formal Hearing within seven (7) days of the Informal Process Decision.

6. Formal Hearing:

- a. The Discipline Committee shall establish a date and time for the Formal Hearing;
- b. At least five (5) days prior to the hearing, both the Complainant and the Respondent shall be issued a "Notice of Discipline Hearing" which shall set out the date, location and time of the hearing, the nature of the alleged conduct and shall include any supporting evidence that has been submitted by the Complainant or the Discipline Committee through their own investigation. Any prior submissions or evidence used during the Informal Process shall also be provided to the affected parties for the purpose of the Formal Hearing;
- c. The Respondent may choose to provide supporting evidence prior to the Formal Hearing to the Discipline Committee or shall provide supporting evidence during the Formal Hearing to the Discipline Committee if there is such supporting evidence. If the Respondent submits supporting evidence prior to the Formal Hearing to the Discipline Committee, the Discipline Committee shall not provide a copy of this evidence to the Complainant. If the Respondent provides supporting evidence during the Formal Hearing, the Complainant shall be entitled to hear such evidence but shall not be provided a copy of this evidence;
- d. The Respondent shall be suspended from participation in or attendance at CLMHA activities pending the outcome of the hearing. The Respondent may make a written request to participate in or attend CLMHA activities. The Discipline Committee shall have sole discretion of such permission and if such permission is confirmed, the Discipline Committee shall render such permission in writing;
- e. The Respondent and Complainant shall provide any information requested by the Discipline Committee at least two (2) days prior to the hearing;

- f. At least two (2) days prior to the Formal Hearing, the Respondent and the Complainant shall provide the Discipline Committee with a list of witnesses they intend to request to appear at the Formal Hearing on their behalf;
- g. The Discipline Committee may also request the attendance of any other party whom the Discipline Committee believes should appear by delivering to each such witness a “Notice to Attend the Discipline Hearing” which shall set out the date, time and location of the Formal Hearing, the nature of the alleged conduct and any information to be provided by the witness to the Discipline Committee prior to the hearing;
- h. If the Complainant fails to appear then the complaint shall be dismissed which shall include any such decision from the Informal Process. The Discipline Committee shall then produce in writing a Notice of Exoneration to the Respondent and the complaint shall be struck permanently from the Record;
- i. If the Respondent fails to appear, the Formal Hearing shall be conducted with those parties in attendance and the information available to the Discipline Committee; and
- j. The Discipline Committee shall produce a written “Formal Decision” and shall provide it to the Respondent and Complainant within a reasonable time following the Formal Hearing but no longer than 10 days unless there are exceptional circumstances.

7. Conduct of the Hearing:

- a. There shall be no person within the Informal Process or the Informal Hearing or such other preliminary duty that is in a conflict of interest, whether direct, indirect or perceived to be in a conflict, with the Respondent and or the Complainant. The Minutes shall record the conflict of interest and the person in such conflict shall leave the hearing venue, which shall be recorded within the Minutes. The Executive Committee and or the Board of Directors may direct the replacement of Members of the Discipline Committee, including the Chairperson in such circumstances;
- b. The Chairperson of the Discipline Committee shall Chair the hearing and be responsible for the orderly conduct of the Formal Hearing. If the Chairperson is not available, the remaining Members of the Discipline Committee shall appoint a Chairperson who shall then be responsible for the orderly conduct of the Formal Hearing;
- c. The Discipline Committee shall provide each witness with an information sheet on the hearing process or, alternatively, may hold a briefing session immediately prior to the commencement of the hearing to ensure all parties understand the hearing process;
- d. The witnesses will not be sworn in nor will there be a transcript taken of the proceedings. The Respondent and the Complainant shall not make a tape, video or use such other technological means during the proceedings;
- e. The Respondent and Complainant shall appear in person and shall not be represented by a representative, agent, proxy, any other person or legal counsel. Any minor child attending such a proceeding shall be represented by their parent(s) or legal guardian(s);
- f. The Discipline Committee shall be comprised of volunteers who are not versed in the application of law;
- g. The Complainant and the Complainant’s witnesses shall be heard first before the Discipline Committee at the Formal Hearing. The Complainant shall put their complaint to the Discipline Committee in the absence of the Complainant’s witnesses. Following the Complainant’s evidence, the Discipline Committee shall then call in each witness individually and each witness shall not be present in the hearing room during the evidence of any witness. The

Respondent shall be present during the calling of all evidence and shall have the right to ask question of the Complainant and any such witness. The Chairperson shall ensure proper decorum of any questions put to the Complainant and the witnesses and that such questions are relevant to complaint;

- h. The Chairperson shall determine the relevance of any question asked by the Respondent. If the Chairperson determines that a question is irrelevant to the complaint, the Chairperson shall provide the Respondent with an explanation. The Respondent shall be entitled to challenge such a determination and the Chairperson shall reconsider the same. If the question is or remains irrelevant then the Chairperson shall instruct the witness not to reply. The question will be documented and remain part of the file for future reference;
- i. The Respondent shall then be asked to present their evidence and shall be entitled to respond to the information provided by the Complainant and any witnesses. The Respondent shall be entitled to lead any evidence or provide witnesses to corroborate their version of events;
- j. The Discipline Committee shall, with all dispatch, render a decision, and communicate that decision to both the Respondent and Complainant. The Discipline Committee may provide their decision verbally at first but shall confirm the same in writing within 10 days of the Formal Hearing date and shall provide their written decision to the President; and
- k. If the Respondent is a coach of any team official, the President shall immediately provide the written decision to the VP Hockey Operations and the Player & Coaching Development Director;
- l. NOTE:
  - i. Coaches who are suspended for two (2) or more games, by CLMHA, Hockey Alberta, the Hockey Canada, or two (2) or more times in any given season, shall notify the Discipline Committee and shall be indefinitely suspended by CLHMA until such time that:
    - 1. They ask for a Discipline Committee meeting; or
    - 2. The Discipline Committee chooses to reinstate them.
  - ii. The Player & Coaching Development Director shall be advised of the incidents and resolutions for future reference;
  - iii. The Discipline Committee shall maintain a file on each matter referred to it and shall be comprised of the original complaint or incident report, copies of all “Notice of Discipline Hearing”, copies of all “Notice to Attend Discipline Hearing”, copies of the witnesses lists, the notes made by each member of the Discipline Committee during the hearing, and a copy of the written decision of the Committee; and
  - iv. The decision of the Discipline Committee following the Informal Hearing shall be final and binding on all parties except for any such course of action or recourse provided by Hockey Alberta, the Hockey Canada, or Legislation.

8. Issues, Concerns & Complaints:

- a. Unless otherwise specified, the order to pursue resolution of Issues, Concerns and Complaints in CLMHA is as follows:
  - i. Coach or the Manager;
  - ii. Division Director;
  - iii. Player & Coaching Development Coordinator;
  - iv. VP Hockey Operations;

- v. VP Business; and
- vi. Discipline Committee.

9. Appeal Policy:

a. Appeal Committee:

- i. In all matters where the CLMHA has made a decision on a complaint or grievance, the Complainant or Respondent shall have the right of appeal the decision;
- ii. The CLMHA shall appoint an Appeals Committee each year. Members of the Appeals Committee shall not be members from the committee whose decision is subject to the appeal;
- iii. The Appeals Committee shall sit for a term of one (1) year;
- iv. The Appeals Committee members may be any member of the CLMHA as long as a member is not in a conflict of interest either directly, indirectly or perceived to be in a conflict of interest; and
- v. The Appeals Committee shall appoint a Chairperson who shall ensure the orderly conduct of the appeal.

b. Appeals Process:

- i. The decision of any committee may be appealed to the Appeals Committee by filing a written application to appeal, within 15 days of rendering of the decision;
- ii. An appeal must be in writing and identify the issue being appealed and provide the details of the reason for the appeal;
- iii. An appeal must be accompanied by an Appeal Fee of \$150.00 Canadian Dollars;
- iv. The Appeals Committee shall, in its sole discretion, determine whether the appeal shall be in the form of a new hearing or whether the matter can be dealt with based upon the written material and summaries before the prior Committee. The Appeals Committee may request further written material from the Appellant and or their witnesses and any affected party, if any. There shall be no new witnesses introduced during the appeal process. The Appeal Committee may also undertake the appeal hearing in the form of a new hearing wherein the Appeals Committee shall allow reasonable time for the Complainant and Respondent to state their case as to why the appeal should be allowed or dismissed;
- v. The Appeals Committee shall advise the affected party of the Appeal as soon as reasonably possible following notice of such appeal;
- vi. If a new hearing is required, the conduct of the Appeal Hearing shall be as follows:
  - 1. The Appeals Committee shall convene a meeting to hear the appeal within a reasonable period of time;
  - 2. In accordance with the CLMHA Conflict of Interest Policy, any member of the Appeals Committee shall not be in conflict of interest either directly, indirectly or perceived;
  - 3. The Appeals Committee shall provide the Appellant or any other affected party with an information sheet on the Appeal Hearing process, or in the

alternative, may hold a briefing session immediately prior to the commencement of the Appeal Hearing to ensure all parties understand the hearing process;

4. The Appellant and any affected party shall not be sworn in nor shall there be a transcript taken of the proceedings and there shall be no technological recording, video or otherwise, of the proceeding;
5. The Appellant and any affected party shall appear in person and shall not be represented at the Appeal Hearing by any other individual. The only exception to this rule in the case of minor who shall be represented by their parent(s) or legal guardian(s);
6. The Appeal Committee shall be comprised of volunteers who are not versed in the application of law. Accordingly, no party shall be represented by legal counsel at the Appeal Hearing;
7. The Appellant and any affected party shall appear individually and shall not be present in the hearing room during the presentation of any other party;
8. The Appeal Committee shall, with all dispatch, render a decision, and communicate that decision to both the Appellant and the affected party. Such communication may be verbal at the outset however this shall be followed by a written decision within a reasonable time but no later than 10 days following the decision; and
9. **NOTE:** The Appeals Committee may make any decision that is reasonable which may be equal to the prior decision, lesser than, greater than or any other decision that is fair and appropriate based on the evidence.
  - a. If the Appeals Committee overturns the prior decision and in favour of the Appellant, the Appellant shall be refunded the appeal fee.
  - b. In the event of a compromise decision, the Appeals Committee shall solely decide whether or not the appeal fee should be refunded.
  - c. A decision from the Appeals Committee shall be final and binding on all parties wherein the law allows for further recourse through Hockey Alberta, Hockey Canada, or any such applicable legislation including Judicial Review to the Alberta Court of Queen's Bench.