



BC Baseball Umpires Association

Appeals Policy

(1.0) Introduction

The BCBUA believes in fostering a safe, welcoming, and inclusive environment for participants. As part of creating a safe environment, the BCBUA must hold individuals accountable for their conduct when it is in violation of BCBUA policies, which may result in disciplinary sanctions. The purpose of this policy is to create a fair process for allowing BCBUA members the opportunity to appeal disciplinary decisions that have been issued against them.

(2.0) Jurisdiction & Application

The Appeals Policy is only applicable to disciplinary decisions issued by the BCBUA Discipline Committee.

(3.0) Appeal Committee Composition

The President shall create an Appeals Committee of three BCBUA members, of which the President will hold one of the three seats and chair the committee to hear the appeal. The President holds the sole decision to create the committee or refer the appeal to Baseball BC for their Discipline Committee to review the matter and render a decision.

(4.0) Decision Making

When deliberating, the appeals committee shall seek to achieve consensus. When consensus cannot be achieved, the committee shall make decisions by majority vote.

(5.0) Deposit

For an appeal to be heard, the appellant must provide a deposit in the amount of \$100. Should the appeal be upheld or partially upheld, the deposit is returned in full. Should the appeal be dismissed, the deposit is retained by BCBUA.



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(6.0) Deadline & Submission

An appeal of a decision made by the BCBUA Discipline Committee must be made, including the submission of the deposit, within 72 hours of the disciplinary decision being issued.

An appeal must be made in writing to the President of the BCBUA.

The appellant must clearly state their grounds for appeal, providing explanation and evidence to support their claim. The onus to prove the claim is on the appellant.

(7.0) Grounds for Appeal

The following are grounds for appeal:

- a) A substantive error in findings.
- b) A substantive error in applying or interpreting a rule, process, or policy.
- c) A committee member's bias, conflict of interest, or partiality.
- d) That a sanction is clearly unreasonable in proportion to the offense.
- e) That the decision was outside the scope of the discipline committee's authority.

(8.0) Appeal Process

- a) The BCBUA President shall confirm reception of the written appeal and shall establish the Appeals Committee
- b) The Appeals Committee shall invite the appellant to submit any further documentation in support of their appeal and advise the appellant of their right to an online hearing. Such a hearing should be scheduled within five days of receiving the appeal.
- c) The Appeals Committee shall investigate, ask clarifying questions of the appellant, and speak to witnesses as deemed necessary.
- d) The Appeals Committee should release their final ruling in writing within seven days of receiving the appeal.



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(9.0) Status of Original Decision

Once an appeal is received, subject to the exceptions below, the original disciplinary decision is held in abeyance and the individual is permitted to resume participation, pending the results of the appeal.

The original disciplinary decision will not be held in abeyance and the individual will continue to serve their suspension in the following circumstances:

- a) The appeal process is delayed beyond one week at the fault of the appellant.
- b) The individual was issued a suspension of 8 games or more (or if issued as a period of time 2 weeks or more).
- c) The member was suspended indefinitely, per Section 4.2 of the Discipline Policy, while the case was processed by the Discipline Committee.

(10.0) Appeal Committee Considerations

An Appeals Committee shall consider the following when determining whether to uphold an appeal:

- a) That an error, described in section 7 (A or B) of this document, must be substantive and that the error led to an increased or unreasonable sanction.
- b) When considering appeals under Section 7 (C) of this document, the Appeals Committee shall only uphold the appeal when the discipline falls outside the range of what is reasonable, not simply because the appeals committee would have come to a slightly different decision.

(12.0) Appeal Committee Options

The Appeals Committee may:

- a) Uphold the appeal and vacate the disciplinary sanctions in its entirety.
- b) Dismiss the appeal and uphold the disciplinary decision in its entirety.
- c) Partially uphold the appeal and modify the terms of the disciplinary sanction.