



BC Baseball Umpires Association

Whistleblower Policy

(1.0) Introduction

The BCBUA believes in foster a safe, welcoming, and inclusive environment for participants. The purpose of this policy is to allow workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

(2.0) Definitions

The following terms have these meanings in this policy:

- a) “Director” – An individual appointed or elected to Baseball BC’s Board of Directors.
- b) “Worker” – An individual who has signed an Employment Agreement or Contractor Agreement with the BCBUA.
- c) “First Point of Contact” – The President of the BCBUA will act as the First Point of Contact.

(3.0) Application

This policy only applies to workers who observe, or experience incidents of wrongdoing committed by directors or by other BCBUA members in good standing.

Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by the BCBUA can be reported under the terms of the BCBUA’s discipline policy, safe sport polices and/or reported to the BCBUA’s President to be handled under the terms of the individual worker’s employment agreement or contractor agreement, as applicable.

Matters reported under the terms of this policy may also be referred or heard under the BCBUA’s discipline policy, at the discretion of the First Point of Contact, who is the President of the BCBUA.



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(4.0) Wrongdoing

Wrongdoing can be defined as:

- a) Violating the law
- b) Intentionally or seriously breaching of the BCBUA's code of conduct
- c) Intentionally or seriously breaching of the BCBUA's policies for workplace violence and harassment
- d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, worker, or other individual
- e) Directing an individual or worker to commit a crime, serious breach of a policy of the BCBUA's, or another wrongful act
- f) Fraud

(5.0) Pledge

The BCBUA pledges not to dismiss, penalize, discipline, retaliate, or discriminate against any worker who discloses information or submits, in good faith, a report against a worker under the terms of this policy.

Any individual affiliated with the BCBUA who breaks this pledge will be subject to disciplinary action.

(6.0) Reporting Wrongdoing

A worker who believes that a director or another worker has committed an incident of wrongdoing should prepare a report that includes the following:

- a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s)
- b) Identities and roles of other individuals or workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing



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- c) Why the act or action should be considered wrongdoing
- d) How the wrongdoing affects the worker submitting the report (if applicable)

(7.0) Authority

The BCBUA has appointed a First Point of Contact to receive reports made under this policy.

After receiving the report, the First Point of Contact has the responsibility to:

- a) Connect the worker to the alternate liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with the BCBUA and/or the content of the report
- b) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
- c) Determine if the BCBUA's whistleblower policy applies or if the matter should be handled under the BCBUA's discipline policy
- d) Determine if the local police or RCMP should be contacted
- e) Determine if mediation or alternate dispute resolution can be used to resolve the issue
- f) Begin an investigation

(8.0) Alternate Liaison

If the worker feels that the First Point of Contact is unable to act in an unbiased or discrete manner due to the individual's role with the BCBUA and/or the content of the report, the worker should contact the alternate liaison who will act as an independent liaison between the worker and the First Point of Contact.

The alternate liaison will not disclose the worker's identity to the First Point of Contact or to anyone affiliated with the BCBUA without the worker's consent.

A Worker who is unsure if they should submit a report, or who does not want to have their identity known, may contact the alternate liaison for informal advice about the process.



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(9.0) Investigation

If the First Point of Contact determines that an investigation should be launched, the First Point of Contact may decide to contract an external investigator. In such cases, the BCBUA's Board of Directors may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the worker who submitted the report being disclosed. The BCBUA's Board of Directors may not unreasonably refuse the decision to contract an external investigator.

An investigation launched by the First Point of Contact or by an external investigator should generally take the following form:

- a) Follow-up interview with the worker who submitted the report
- b) Identification of workers, participants, volunteers, or other individuals that may have been affected by the wrongdoing
- c) Interviews with such affected individuals
- d) Interview with the director(s) or worker(s) against whom the report was submitted
- e) Interview with the supervisor(s) of the worker(s) against whom the report was submitted, if applicable

In all stages of the investigation, the investigator will take every precaution to protect the identity of the worker who submitted the report and/or the specific nature of the report itself. However, the BCBUA recognizes that there are some instances where the nature of the report and/or the identity of the worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

The investigator will prepare an investigator's report – omitting names whenever possible and striving to ensure confidentiality that will be submitted to the BCBUA's president for review and action.



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(10.0) Decision

Within fourteen (14) days after receiving the investigator's report, the BCBUA president will take corrective action, as required. Corrective action may include, but is not limited to including:

- a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing
- b) Revision of job descriptions
- c) Discipline, suspension, termination, or other action as permitted by the BCBUA's bylaws, provincial employment legislation, personnel policy, and/or the worker's employment agreement or contractor agreement.

The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.

Decisions made under the terms of this policy may be appealed under the terms of the BCBUA's appeal policy and will be heard by the Board of Directors, provided that:

- a) If the worker who submitted the initial report is appealing the decision, the worker understands that their identity must be revealed if they submit an appeal,
- b) If the director or worker against whom the initial report was submitted is appealing the decision, the worker or director understands that the identity of the worker who submitted the report will not be revealed, and that the BCBUA will act as the respondent.

(11.0) Confidentiality

Confidentiality at all stages of the procedures outlined in this policy – from the initial report to the final decision – is assured for all individuals (the worker, the worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this policy will be subject to disciplinary action.



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(12.0) First Point of Contact & Alternate Liaison

The First Point of Contact shall be the President of the BCBUA.

The alternate liaison shall be the Executive Director of Baseball BC.