

**BRITISH COLUMBIA BASEBALL UMPIRES ASSOCIATION
DISCIPLINARY COMMITTEE PROCEDURE**

(As at March 7, 2014)

1) DISCIPLINE COMMITTEE

The Discipline Committee is made up of three members:

- a) The Vice-President will chair the meeting of the Discipline Committee, cast the deciding vote in the event of a tie vote, and ensure that proceedings and decisions are recorded and appropriate notifications undertaken by the Committee.
- b) The Area Representative from the area involved will sit on the Discipline Committee so as to remove any perception of regional bias and because he or she will likely be the first British Columbia Baseball Umpires Association Executive member involved.
- c) A Director or other senior BCBUA member appointed by the Discipline Committee Chair.

Should one of these Executive members be unavailable or in a conflict of interest, the President shall appoint a replacement.

The Discipline Committee shall be the only body with the authority to discipline British Columbia Baseball Umpires Association members.

2) REPORTING A COMPLAINT

A complaint concerning a member of the British Columbia Baseball Umpires Association must be made in writing (email, fax, letter, etc.) not later than 72 hours after the incident in question.

Complaints received after 72 hours of the incident will be reviewed by the Discipline Committee Chair for determination of action.

The complaint may be forwarded to any member of the Executive of the BCBUA. Upon receipt of the complaint the Executive member shall immediately forward the written complaint to the Discipline Committee Chair of the BCBUA.

Any complaint regarding a 'judgment call' shall be referred to the appropriate Area Representative and then, if necessary, to the Provincial Supervisor.

3) INVESTIGATING A COMPLAINT

Upon receipt of a written complaint the Discipline Committee Chair (or designate from the Discipline Committee) shall:

- a) Review the complaint and determine if it meets the criteria of a legitimate conduct complaint (i.e. not a 'judgment call' or educational issue).

- b) If the complaint is not judged to be a legitimate conduct complaint, the Discipline Committee Chair will notify the Complainant as well as the BCBUA President.
- c) If the complaint requires further investigation, the Discipline Committee Chair will notify the BCBUA President that a matter has come up, interview the Complainant, the member and any witnesses available;
- d) Advise the member that he or she has the right to a hearing at which the complainant, the member and the witnesses shall be present, and
- e) Report to the Discipline Committee to determine whether a hearing is required or requested by the member.

When an investigation takes place, but no hearing is necessary, the investigation should be concluded within 14 days of receipt of the complaint.

In situations where a hearing is necessary the entire process should be concluded within 30 days of receipt of the complaint, except where unusual circumstances make this impractical.

A member must participate in the Discipline Process when requested to do so by the BCBUA. Failure to participate may result in the member being suspended indefinitely until such time as this is rectified to the satisfaction of the Discipline Committee Chair. Any period of indefinite suspension will not count towards any subsequent Discipline levied against the subject member.

The preferred method of communication throughout the investigation process will be in writing (email, fax, etc.). Verbal communications (phone calls) will only be used when written correspondence is not practical (mainly for time reasons).

4) HEARING PROCEDURES

Upon determining that a hearing is required, or that the subject member has requested a hearing the Discipline Committee shall:

- a) Convene a hearing at a location convenient to the majority of the parties involved. The BCBUA shall be responsible for the travel expenses of the Discipline Committee only.
- b) Request the attendance of both the complainant and the member during the investigative part of the hearing, and advise the complainant and umpire that they have the right to call witnesses on their behalf at the hearing.
- c) Conduct an investigative hearing.
- d) Retire for deliberations in private at the conclusion of the investigative part of the hearing, and adjourn the hearing for that purpose if necessary.
- e) Upon the completion of the deliberations, reconvene the hearing and announce the decision of the Discipline Committee. If it is impractical to reconvene the hearing the Discipline Committee shall notify the Complainant and the Member of the decision within seven days by registered letter.

5) PROCEDURE FOR DELIBERATION

Deliberations shall be conducted in private.

A majority decision is required.

The deliberations shall consist of two parts:

- a) Determination of whether or not the reported behaviour or event complained of occurred.
- b) Determination of the disciplinary action to be taken, if any. Options for discipline shall include:
 - a. No action.
 - b. Written reprimand and/or
 - c. Suspension of the subject member for any period of time the Discipline Committee considers appropriate.

During its deliberations the Discipline Committee shall consider the facts presented during the investigative part of the hearing, evidence gathered during the course of investigation, and the behaviour of the parties involved, whether or not previous disciplinary proceedings have been taken against the member in question and any other pertinent information available to the Discipline Committee.

6) REPORTING PROCEDURES

Upon the completion of the investigation or hearing, a written report shall be submitted to:

- a) BCBUA President
- b) BCBUA Secretary

For confidentiality and privacy reasons a more summarized notification of the outcome of the investigation or hearing shall be submitted to:

- a) BCBUA Area Director
- b) Complainant
- c) Subject Member
- d) BCBUA President
- e) BCBUA Secretary

In cases where the complaint was dismissed on initial investigation, no written record will be kept and the BCBUA Secretary will not be notified. The BCBUA President will still be notified.

When a complaint proceeds to the full investigation and hearing stage the written report shall become part of the permanent record of the British Columbia Baseball Umpires Association.

If disciplinary action is taken against a subject member the BCBUA Board of Directors will be notified at the next Board of Directors meeting.

If a subject member is suspended from officiating for a period of time or number of games the appropriate leagues/allocators will be notified of the suspension.