

 CURLING ONTARIO	<p>Policy Name: Discipline and Complaints</p> <p>Policy Number: PSO-012</p> <p>Date Approved: May 7, 2025</p> <p>Next Review Date: April 2026</p>
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DEFINITIONS

1. The following terms have these meanings in this Policy:
 - a) *"Discipline Committee"* – The Discipline Committee will be established by Curling Ontario. The Discipline Committee can be made up of one to three individuals. The Discipline Committee will receive the findings of the Case Manager and apply sanctions as required by this policy.
 - b) *"Case Manager"* – An independent third-party individual or organization appointed by Curling Ontario to administer certain complaints under the *Discipline and Complaints Policy*.
 - c) *"Individuals"* – All individuals employed by, or engaged in activities with Curling Ontario including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, Directors and Officers of Curling Ontario, spectators at events, and parents/guardians of athletes.
 - d) *"Respondent"* – The Party responding to the complaint.
 - e) *"Complainant"* – An individual or observer who makes a report of an incident of Maltreatment or suspicions pf an incident of Maltreatment, or lack of compliance with Curling Ontario's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*.

PURPOSE

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Curling Ontario's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*.
Non-compliance may result in sanctions pursuant to this Policy.

APPLICATION OF THIS POLICY

3. This Policy applies to all Individuals.
4. This Policy applies to matters that may arise during Curling Ontario's business, activities, and events.
5. This Policy also applies to Individuals' conduct outside of Curling Ontario's business, activities, and events when such conduct adversely affects relationships within Curling Ontario (and its work and sport environment), is detrimental to the image and reputation of Curling Ontario, or upon the acceptance of Curling Ontario. Applicability will be determined by Curling Ontario at its sole discretion.
6. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
7. An employee of Curling Ontario who is a Respondent will be subject to appropriate disciplinary action in accordance with any of Curling Ontario's applicable policies, as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

ALIGNMENT

8. Curling Ontario recognizes that Individuals may also be registered with Member Associations and/or Member Clubs. Curling Ontario requires that Member Associations and/or Member Clubs submit discipline decisions involving Individuals to Curling Ontario. Curling Ontario may, at its sole discretion, conduct its own review or take further action on the discipline sanctioned on the individual.

ADULT REPRESENTATIVE

9. Complaints may be brought for or against an Individual who is a minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
10. Communication from the Discipline Committee or Case Manager, as applicable, must be directed to the minor's representative.
11. A minor is not required to attend an oral hearing, if held.

TRIAGING PROCESS

12. Any Individual may report an incident or complaint to the Case Manager in writing, within fourteen (14) calendar days of the alleged incident, although this timeline can be waived or extended at the Case Manager's discretion. At the time of the written complaint, the Complainant must submit (but not limited to) the following:
 - a) The event and/or location in which the incident (s) occurred (confirming the complaint is within appropriate jurisdiction/sanctioned event of Curling Ontario)
 - b) Detailed description of what occurred
 - c) List of names of those involved in the incident
 - d) Supporting evidence of the claim
 - e) List of witnesses with their approval and contact information

13. Curling Ontario may, in its sole discretion, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Curling Ontario will identify an individual representative of the organization.
14. Upon receiving a report of an incident or a complaint, the Case Manager may, at their sole discretion and depending on the nature of the issue:
 - a) Deny the complaint as the allegations are not within the jurisdiction of Curling Ontario and/or the scope of this policy.
 - b) Accept the complaint and refer the complaint to the Discipline Committee, who will be responsible for following process #1, or, alternatively, follow process #2.
 - c) Propose Alternative Dispute Resolution.
 - d) The Case Manager's decision to accept or deny a complaint is not subject to appeal.
 - e) The Case Manager's decision to follow Process #1 or #2 is not subject to appeal.
15. When determining whether to refer to the Discipline Committee or to follow Process #2 the Case Manager has the discretion to choose which process should be followed, and may use the following examples as a general guideline:
 - (a) **Process #1** - the Complaint alleges the following incidents:
 - i. Disrespectful, abusive, racist, or sexist comments or behaviour
 - ii. Disrespectful conduct
 - iii. Minor incidents of violence (e.g., tripping, pushing, elbowing)
 - iv. Conduct contrary to the values of Curling Ontario
 - v. Non-compliance with Curling Ontario's policies, procedures, rules, or regulations.
 - vi. Minor violations of Curling Ontario's *Code of Conduct and Ethics*

- (b) **Process #2** - the Complaint alleges the following incidents:
- i. Repeated minor incidents
 - ii. Any incident of hazing
 - iii. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)
 - v. Pranks, jokes, or other activities that endanger the safety of others
 - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - vii. Conduct that intentionally damages Curling Ontario's image, credibility, or reputation
 - viii. Consistent disregard for Curling Ontario's Bylaws, policies, rules, and regulations
 - ix. Major or repeated violations of Curling Ontario's *Code of Conduct and Ethics*
 - x. Intentionally damaging Curling Ontario's property or improperly handling Curling Ontario's monies
 - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - xii. A conviction for any major violation of the *Criminal Code*
 - xiii. Any possession or use of banned performance enhancing drugs or methods
16. The Discipline Committee or Case Manager (as applicable) may determine that the alleged incident may require additional expertise to investigate the complaint, which may be beyond the scope of the Case Manager's responsibilities. In this case, the Discipline Committee or Case Manager may

appoint an Investigator in accordance with Curling Ontario's *Investigations Policy* - and Curling Ontario, and the Investigator, will have additional responsibilities as described in that Policy.

PROCESS #1 PROCEDURE:
HANDLED BY DISCIPLINE COMMITTEE

Sanctions

17. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Committee will review the report from the Case Manager (which will include rationale for following Process #1 and any supplementary evidence submitted with the complaint) related to the complaint or incident and determine one or more of the following sanctions:
 - a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to Curling Ontario
 - d) Removal of certain privileges
 - e) Suspension from certain teams, events, and/or activities
 - f) Suspension from all or some of Curling Ontario's activities for a designated period
 - g) Any other sanction considered appropriate for the offense
18. The Discipline Committee will inform the Respondent of the sanction, which will take effect immediately.
19. Records of all sanctions will be maintained by Curling Ontario.

PROCESS #2 PROCEDURE:
HANDLED BY CASE MANAGER

Case Manager

20. Following the determination that the complaint or incident should be handled under Process #2, the Case Manager will oversee management and administration of the complaint or incident. The Case Manager should not be in a conflict of interest and should have expertise in dispute resolution matters. Such appointment is not appealable.
21. The Claimant and Respondent will each be entitled to one, half hour preliminary session to understand the process and ask any clarifying questions. This does not include any time required with the parties as part of the process the Case Manager will determine, based on the case itself.
22. The Case Manager has a responsibility to:
- a) Propose the use of Curling Ontario's *Dispute Resolution Policy*
 - b) Coordinate all administrative aspects and set timelines
 - c) Determine if the complaint is:
 - i. is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
 - ii. not frivolous and within the jurisdiction of this Policy, the Case manager will notify the Parties that the complaint is accepted and of the applicable next steps
- Note: The Case Manager's decision to accept or dismiss the complaint may not be appealed
23. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

24. If the Complaint is deemed admissible, the Case Manager will make a preliminary assessment of the allegation and determine the appropriate course of action to be taken.
25. The Case Manager will determine if the Complaint falls within Discrimination, Harassment, Workplace Harassment, Workplace Violence, Abuse and Maltreatment and if an Investigation is required to solve the complaint.
26. The Case Manager will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, written communication accompanied by any supporting material (submitted at time of complaint), an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager deem appropriate in the circumstances, provided that:
 - a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
 - b) Copies of any written documents which the parties wish to have the Case Manager consider will be provided to all Parties, through the Case Manager, in advance of the hearing
 - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
 - d) The Case Manager or Discipline Committee may request that any other individual participate and give evidence at the hearing
 - e) The Case Manager may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as they deem appropriate

- f) The Case Manager will review the submissions by the parties, the Investigator's report (when Investigation Policy is implemented), and compile a report to the Discipline Committee, taking into consideration all the information made available by all parties, including information discovered in the course of an external investigation that may have taken place.
 - g) The decision and any sanctions will be made by a majority vote of the Discipline Committee
27. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Committee will determine the appropriate sanction. The Discipline Committee may still request a hearing for the purpose of determining an appropriate sanction.
28. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
29. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
30. In fulfilling its duties, the Case Manager or Discipline Committee may obtain independent advice.

Decision

31. After hearing and/or reviewing the report from the Case Manager, which will determine whether an infraction has occurred and, if so, the Discipline Committee will determine if sanctions are to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Committee's written decision, with reasons, will be distributed to all Parties, the Case Manager. In extraordinary circumstances, the Discipline Committee may first issue a verbal or summary decision soon after the hearing's conclusion, with the full

written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Committee.

Sanctions

32. The Discipline Committee may apply the following disciplinary sanctions, singularly or in combination:
- a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to Curling Ontario
 - d) Removal of certain privileges
 - e) Suspension from certain teams, events, and/or activities
 - f) Suspension from all or some of Curling Ontario's activities for a designated period
 - g) Payment of the cost of repairs for property damage
 - h) Suspension of funding from Curling Ontario or from other sources
 - i) Expulsion from Curling Ontario
 - j) Any other sanction considered appropriate for the offense
33. Unless the Discipline Committee decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Committee will result in an automatic suspension until such time as compliance occurs.
34. Records of all decisions will be maintained by Curling Ontario.

Appeals

35. The decision of the Discipline Committee may be appealed in accordance with Curling Ontario's *Appeal Policy*.

SUSPENSION PENDING A HEARING

36. The Executive Director may, at their sole discretion, determine that an alleged incident is of such seriousness as to warrant immediate suspension of an Individual pending completion of a criminal process, complaint management, the hearing, or a decision of the Discipline Committee.

CRIMINAL CONVICTIONS

37. An Individual's conviction for a major violation (s) of the *Criminal Code* offense shall be deemed an infraction under this Policy and may result in expulsion from Curling Ontario. Major *Criminal Code* offences may include, but are not limited to:
- a) Any child pornography offences
 - b) Any sexual offences
 - c) Any offence of physical violence
 - d) Any offence of assault
 - e) Any offence involving trafficking of illegal drugs

CONFIDENTIALITY

38. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Committee, and any independent advisors to the Discipline Committee. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

TIMELINES

39. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Discipline Committee may direct that these timelines be revised.

RECORDS AND DISTRIBUTION OF DECISIONS

40. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy, as determined by the Discipline Committee.