



PELHAM MINOR HOCKEY ASSOCIATION

POLICY ON THE DISPUTE RESOLUTION PROCESS



We as an association are committed to creating a healthy, fair and efficient environment for resolving conflict.

1. Introduction

PMHA is committed to creating and maintaining an organizational environment characterized by constructive, productive and supportive relationships. These are ones that are open to contrasting styles of understanding and acting and different points of view. The PMHA recognizes that human interactions are complex, often difficult, and that we can contribute to their success and breakdown. **In all cases it is hoped that the parties can resolve their differences by speaking with each other after the mandatory 24 hour waiting period.**

The goal of the Dispute Resolution Process – which involves a committee named the Dispute Resolution & Discipline Committee (DRDC) - is to design a process for resolving disputes that are straightforward and easy to follow. Under the Dispute Resolution Process all complaints are required to be handled in a timely and efficient manner. In more complex cases where additional time is required, the parties will be notified of the status of the matter, including the reasons for any delay. The DRDC is also able to capably issue corrective actions, sanctions or disciplinary measures if or when required or in certain cases. The DRDC reports directly to the PMHA Board and must provide formal documentation of their business.

These guiding principles will help to ensure that barriers to conflict resolution are eliminated. The PMHA has taken the OMHA documentation and directly utilized materials from them in developing this process.

There may be occasions where it may not be appropriate to follow the exact steps outlined in the Dispute Resolution Process due to extenuating circumstances. The President will make that determination on a case by case basis. The Executive Vice President is typically the presiding PMHA representative in DRDC business which maintains the President having impartiality should it be required at a later date.

The Dispute Resolution & Discipline Committee shall consist of, as a minimum: the Executive Vice President of the Association, and respective Hockey League (REP) VP or Local League VP, and may include additional members at the discretion of the Executive Vice- President. The Executive Vice-President or his/her delegate, will Chair the meetings and may cast the deciding vote. At least one other PMHA Board member not affiliated in any way with the matter in front of the committee should be included. The Executive VP may also at his/her discretion decide to bring in a non-PMHA member to sit in on the proceedings, or a member very far removed from any actual or perceived attachment to the complaint or persons involved.

The PMHA Board will review this policy and procedure document for certain at a monthly Board meeting after each year's AGM and prior to September, which is considered the season's start up.

Further resources and documentation supportive of this process can be found at:

OMHA – Code of Conduct Policies and Procedures 2015 Version #3

http://assets.ngin.com/attachments/document/0043/6237/OMHA_CCPAug2015v3.pdf

OMHA – Risk Management Guide (for associations) (2006)

http://assets.ngin.com/attachments/document/0043/6243/risk_management_guide.pdf

OHF – OHF Harassment, Abuse, Bullying and Misconduct Policy (2014)

<http://www.ohf.on.ca/players-families/risk-management>

2. Principles & General Scope of the PMHA Dispute Resolution Process

The PMHA Dispute Resolution Process guides the handling of all complaints related to bullying, harassment, abuse, Code of Conduct infractions/issues and behavioural issues, as defined in the Index of Terms that is attached to this policy.

PMHA is committed to creating a healthy, fair and efficient environment for resolving conflict and will endeavour to solve any dispute that arises in a fair and equitable manner. To that end, PMHA has adopted the OMHA Dispute Resolution Process and formed the Dispute Resolution & Discipline Committee to manage this area of PMHA business.

Please note that the Dispute Resolution & Discipline Committee (DRDC) will not address any complaints that are not related to the above mentioned concerns (i.e. ice time, player position). Further, only disputes that follow the Dispute Resolution Process and are received on the appropriate form will be addressed. Complaints that are not received by the DRDC within 10 days of an unsatisfactory result at Level 1 in the Dispute Resolution Process will not be addressed.

The Dispute Resolution Committee shall be comprised of the Executive Vice President as the lead, the Vice President of LL or Rep (depending on which side the complaint is regarding), and at least one other neutral person either a Board member, or a member of the PMHA at large, or a member of the Pelham community

Below please find the attached / link to submit an Incident Report or Complaint Form, [insert link here](#) which will go directly to our Executive Vice President for initial review. Allow a minimum of 72 hours for the DRDC to contact you directly when required. After all investigations and meetings, the DRDC will send its recommendations to the PMHA Board of Directors.

3. Prior to submitting an Incident Report OR Written Complaint, please read the following:

1. This form is for the exclusive use of Pelham Minor Hockey Association members only. Membership includes Players; Parents; Team Officials; Board Members; Referee & Timekeepers; and volunteers. If you have a complaint and you are not a member of our association, please contact your centre delegate or the VP of the PMHA via email (vicepresident@pelhamminorhockey.com). DO NOT CONTACT THE PMHA PRESIDENT.
2. Complaints against referees or timekeepers will not be considered. If you feel you have a serious issue that involves referees or timekeepers please file a report with your team's Head Coach or to the Executive Vice President of the PMHA. This must be formally written, in proper presentation, and must include all contact information of the person filing the complaint. An email for this type of concern/complaint will be accepted as long as it clearly indicates that this is a "*Complaint Regarding an Official*". The VP will determine if the complaint should be filed with our RIC (referee-in-chief) for further review.
3. The DRDC is in place to investigate serious issues/complaints/incidents. As you are aware, hockey is a very passionate sport that can often lead to emotional situations. Most issues can be resolved at the team level with communication, patience and understanding of people's positions. Along with allowing for the 24 hour cool down rule, the DRDC recommends the following steps be followed prior to submitting this form.

FOR INCIDENTS/COMPLAINTS IN REP:

1. Discussion with your Head Coach, Parent Rep and/or Manager. [Level 1] If the situation cannot be resolved, or if your complaint is against a Head Coach or team official, then go to Step 2 below [Level 2].
2. Submission of Incident Report form or written complaint.

FOR INCIDENTS/COMPLAINTS IN LOCAL/HOUSE LEAGUE:

1. Discussion with your Head Coach, Parent Rep and/or Manager. If situation cannot be resolved or your complaint is against a Head Coach or team official, then go to Step 2 below.
2. Discussion with your Divisional Convenor and/or VP of LL. If situation cannot be resolved or your complaint is not satisfactorily being heard or considered, then go to Step 3 below: (The Local League Directors will keep a log of all reported incidents and provide a report to the PMHA Board)
Please look to the website for current PMHA Board contact information.
3. Submission of Incident Report form or written complaint.

4. CLASSIFICATION:

Determination must be made whether the alleged infraction or incident reported in considered a Minor Infraction or a Major Infraction according to the OMHA document entitled:

- Code of Conduct Policies and Procedures 2015 Version #3 found at www.omha.net
- OMHA Flowchart Dispute Resolution found at http://assets.ngin.com/attachments/document/0043/6239/Dispute_Resolution_Flow_Chart.pdf

Examples of minor infractions:

- 1) a single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors;
- 2) unsportsmanlike conduct such as angry outbursts or arguing or sending rude and or accusatory emails;
- 3) a single incident of being late for or absent from OMHA events and activities at which attendance is expected or required;
- 4) non-compliance with the rules and regulations under which OMHA/CMHA events are carried out

Examples of major infractions:

- 1) deliberate disregard for the rules and regulations under which OMHA/PMHA events are conducted;
- 2) repeated unsportsmanlike conduct such as angry outbursts, arguing, throwing items, attacking inanimate objects;
- 3) repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors;
- 4) sending rude, accusatory, or inaccurate emails to cause deliberate harm, confusion or chaos to a situation or report
- 5) repeated incidents of being late for or absent from OMHA events and activities at which attendance is expected or required;
- 6) activities or behaviour which interfere with the organization of a competition or with any player's or team's preparation for a competition or that interferes with the competition;
- 7) pranks, jokes or other activities, which endanger the safety of others;
- 8) abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely;
- 9) any use of alcohol by minors;
- 10) use of illicit drugs and narcotics;
- 11) use of, or condoning the use of, banned performance enhancing drugs or method

IMPORTANT:

- If your complaint involves sexual or physical abuse, it is your duty to contact the Police immediately.
- If your complaint involves bullying or hazing, please contact the PMHA VP immediately who in turn will report to the PMHA Board of Directors and other applicable authorities (ie. OMHA, Police, Town of Pelham) where applicable.
- If your complaint is against a PMHA Board Member, please contact the PMHA President or PMHA Vice President immediately.

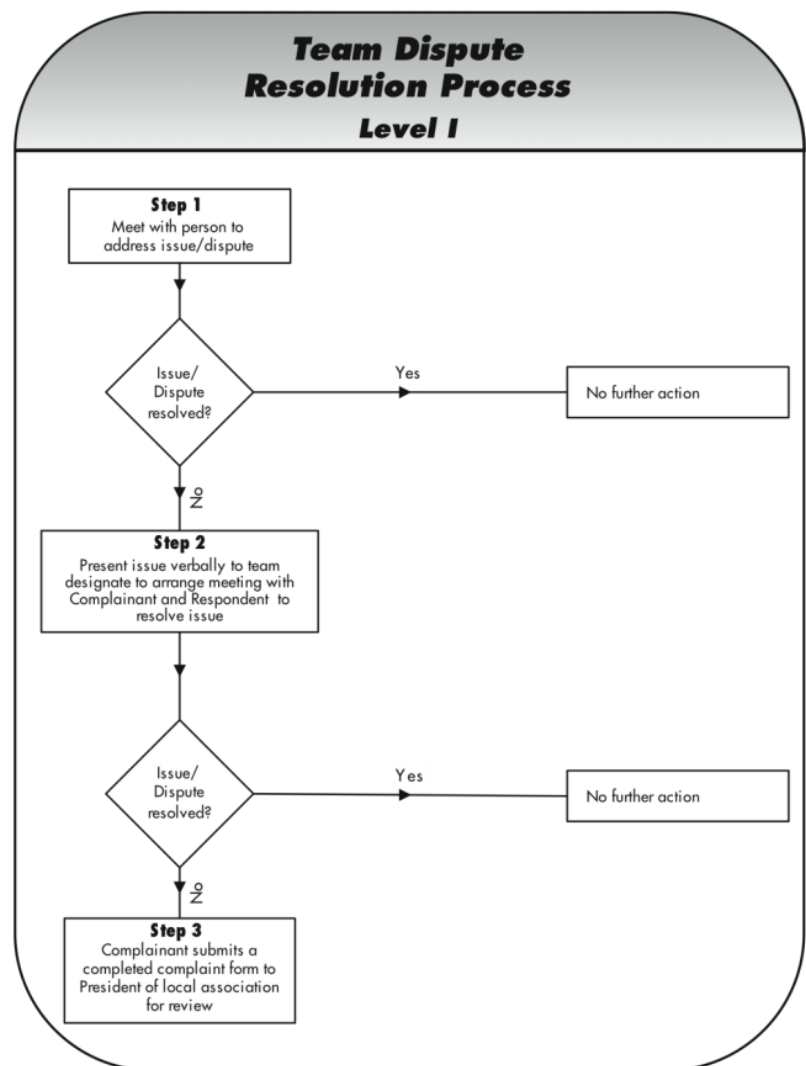
PMHA Dispute Resolution Procedure

1. **OBJECTIVE** - To define the process of Dispute Resolution within the PMHA
2. **SCOPE** - All players, coaches and members of PMHA
3. **RESPONSIBILITY** - It is the responsibility of the President to ensure this policy is followed. Additionally it is the responsibility of all PMHA members to follow this procedure according to their function.
4. **BASICS OF DISPUTE** - The hockey environment can be quite emotional in both a positive and negative sense. As a spectator at a hockey game or practice, it is common for individuals to pass judgment and opinion on the situation at hand and/or the hockey program. At times, these judgments and opinions may be accurate or inaccurate. When these views evolve into a dispute, it is highly advisable to address the matter at the earliest opportunity.

A common and effective practice in many minor hockey associations is to allow 24 hours after an on-ice session before discussing the concerns raised by the Complainant. Emotions are often peaked in the immediate hours following a game or practice, which is not conducive to a rational assessment of the situation.

LEVEL I TEAM DISPUTE RESOLUTION PROCESS

If the Complainant still has an issue or concern that needs to be addressed beyond the 24 hour period, it is strongly encouraged that the Complainant first meets privately with the Respondent in an attempt to resolve the issue. If the Complainant is not satisfied with the outcome of the one-on-one meeting with the Respondent a member of



the PMHA board acting in the role of mediator, will bring the parties (Complainant and Respondent) together once again to promote dialogue and to facilitate a resolution of the complaint.

STEP 1

Complainant should attempt to meet with the Respondent with whom the complaint is about, and a third party independent observer should be present to monitor which can be the Divisional Convenor or the Team Manager. This can be arranged by either party.

STEP 2

If the Complainant is not satisfied with the response provided by the Respondent, or if the matter quickly continues, resurfaces or escalates, then the concerns/complaint should be presented to the team designate (team designate to be determined by the team at beginning of a hockey season) either verbally or in writing.

Within 7 days of receiving this verbal/low level written informal complaint, the team designate will arrange an informal meeting between the Complainant and the Respondent to address the issue in an attempt to reach a resolution. Again, a PMHA Board member should be present strictly as an observer.

STEP 3

If the Complainant is not satisfied with the outcome of the informal meeting described in Step 2, the Complainant may complete a complaint form and submit the formal complaint to the Executive Vice President of the PMHA for review. A copy of complaint form can be obtained from the team designate.

If the complaint falls under the definition of Harassment and Abuse, the PMHA must activate the protocols outlined in the Harassment Policy immediately, and the issue continues through the procedures as per that policy.

The findings, observations, or results of any team investigation are to be submitted to the Dispute Resolution & Discipline Committee of the PMHA for their review as well. The DRDC may be requested to or may choose to intervene to attempt to facilitate a resolution between disputing parties in a meeting with the Team Designate present as well. This process too will be documented and forwarded to the PMHA President at its conclusion.

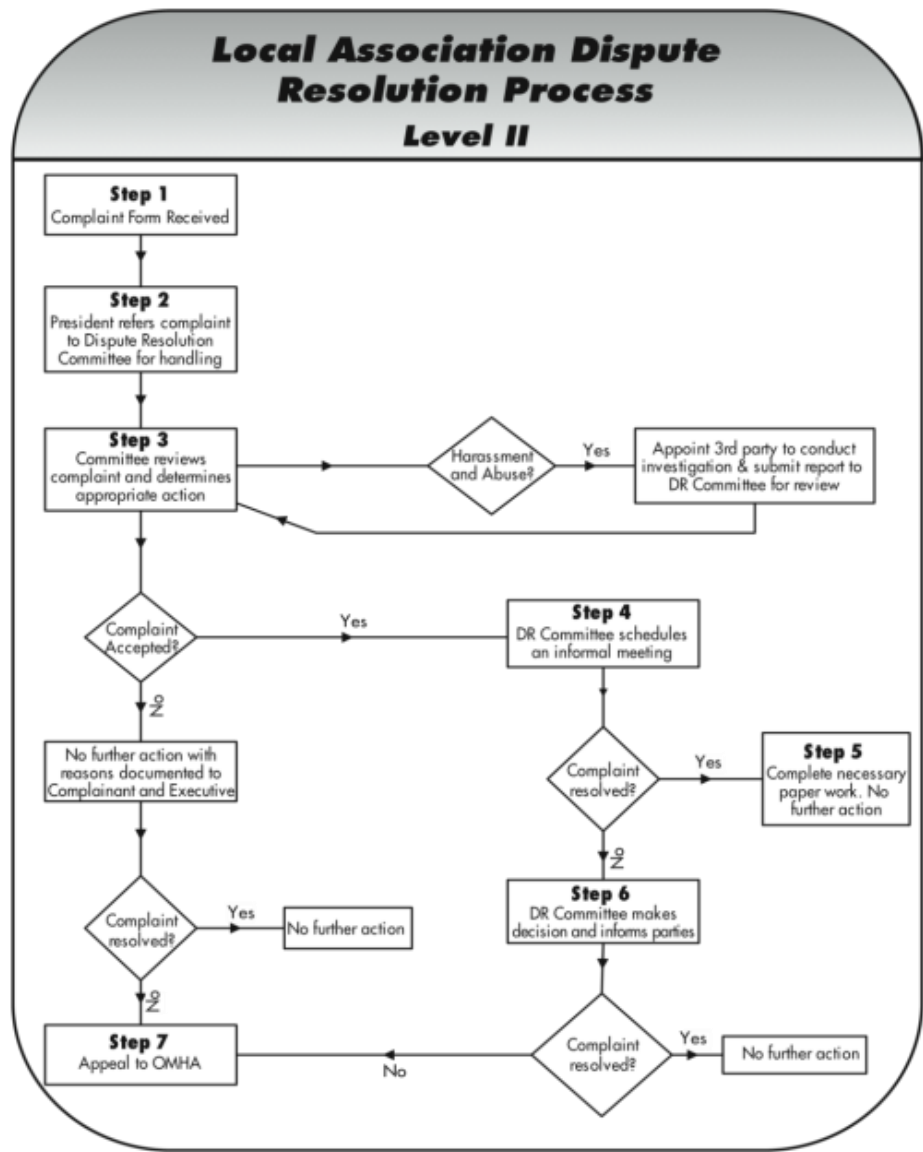
LEVEL II - LOCAL ASSOCIATION DISPUTE RESOLUTION PROCESS

In the event of an unsatisfactory result at Level One (1), the matter may be escalated to Level Two (II).

At Level II, dialogue between the Complainant and the Respondent is facilitated by the Dispute Resolution & Discipline Committee for the PMHA in a formal proceeding setting after the DRDC has formulated a plan for investigation or fact gathering. If an agreement is not reached, the DRDC will render a decision in the matter with recommendations if necessary and may issue sanctions as per OMHA or PMHA policy. Here are the steps:

STEP 1

Complainant completes and submits a formal **Incident Report/complaint form** either by mail, fax, through the online submission method via a form on the website or by delivered letter to the PMHA Executive Vice-President for handling. An email is not an acceptable method of filing an official formal complaint and will not be considered. Formal complaint must be signed and dated by the complainant. The Respondent will be forwarded a copy of the complaint in most circumstances.



STEP 2

The PMHA Executive Vice President (or his/her designate) sends the complaint form to the Dispute Resolution & Discipline Committee (DRDC). The Committee independently assesses the complaint and determines whether there is validity to the concerns raised and to assess the Committee's role in handling the situation. The DRDC will endeavor to follow the OMHA guidelines for conducting an investigation - which is likely to include personal interviews and fact finding missions.

STEP 3

If the DRDC then determines that a complaint has no merit and/or that an informal meeting is unnecessary, the complaint will be referred back to the Board indicating that no further action will be taken. The DRDC will prepare a written report containing its findings and observations, and will send the report to the Complainant/Respondent and to the PMHA President. The PMHA will keep a record of the complaint on file.

STEP 4

If the complaint has merit or requires further discussions, an informal meeting before the DRDC will be scheduled within 7 days from receipt of the written complaint form. At this point, the Committee shall be comprised of members deemed capable of managing the complaint with fairness and impartiality. The Committee now will be comprised of four members at a minimum – the Executive VP, the VP of Rep or LL (depending on which side the team resides), a member of the Board (not PMHA president), AND a member (e.g. parent, community volunteer) of PMHA, or a senior hockey player (not from the team in question). The Committee will assist the Complainant and the Respondent to reach a resolution.

STEP 5

Should the parties reach a resolution, Section C of the Complaint Form will be completed and submitted to the PMHA with copies provided to the Complainant and the Respondent. No further action is required.

STEP 6

Should a resolution not be reached, the Complainant and the Respondent will be excused from the meeting and the Dispute Resolution & Discipline Committee will make a decision and complete the “Decision Section” on the complaint form and return it to the President of the PMHA. The Complainant and the Respondent will receive a copy of the decision within 3 days of the Committee meeting.

STEP 7

If the Complainant is not satisfied with local association decision, he/she can file an appeal to the Ontario Minor Hockey Association (OMHA).

Please note that once you file an appeal to the OMHA, the matter will no longer be addressed by PMHA.

Any player, coach, parent or official, volunteer or executive member who brings legal action against PMHA before observing their right of appeal offered under this Dispute Resolution Process, shall be deemed to have relinquished all playing or participation rights with the PMHA, until such action has been resolved.

Incident Report forms – can be found on pages 11 & 12 create & link TO PMHA WEBSITE WHEN POSTED

Level III – OMHA DISPUTE RESOLUTION PROCESS

Complaints received at Level III must have first been processed through Levels I and II respectively. No complaint may by-pass Level I and II unless there are extenuating and/or circumstances that endanger the well-being of the individual.

Step 1

The OMHA must receive an appeal application by mail or personal delivery no later than 7 days (including weekends and holidays) from the date the decision being appealed was sent to the person appealing. The Application fee is \$100 and must be received with the Appeal Application.

Step 2

The OMHA President refers the Appeal Application to the Risk Management Officer to facilitate the process. If the Risk Management Officer determines that the matter did not go through the proper local association dispute resolution process, it will be referred back the Complainant advising him/her to go through the proper process.

Step 3

Should the Risk Management Officer determine that a hearing is necessary; it will be scheduled no later than 30 days after receipt of the complaint. The Complainant and the Respondent will be notified of the hearing in writing and all parties will be given a copy of the material submitted to the OMHA. Prior to the hearing, every attempt will be made to facilitate a resolution before a formal decision is made.

Step 4

Should a hearing not be necessary, a response will be sent to the Complainant and the Respondent.

Step 5

Once the appeal is resolved, the OMHA will mail the decision to all parties. If the appeal concerns a harassment and abuse issue, the Ontario Hockey Federation (OHF) will be notified as required.

Step 6

Should the parties not be satisfied with the decision of the OMHA, he/she may appeal the decision to the Ontario Hockey Federation.

Harassment/Abuse/Bullying (HAB) Complaints referred back to the Pelham Minor Hockey Association from the OMHA:

When the complaint is determined to be one of Harassment, Abuse or Bullying, a qualified investigator is assigned, an investigation completed, a report will be prepared by the investigator and provided to the DISPUTE RESOLUTION & DISCIPLINE COMMITTEE for their action.

The DISPUTE RESOLUTION & DISCIPLINE COMMITTEE may determine or may be instructed as whether to issue sanctions based on the report.

Please review the PMHA Policy entitled:

PMHA Harassment, Abuse and Bullying Policy

DEFINITIONS OF TERMS USED IN THE PMHA DISPUTE RESOLUTION PROCESS:

Abuse: when a person needs protection from a person they trust and/or are dependent upon. This is a PROTECTION issue. The person in power may be hurting them in a number of ways.

Bullying: Intentionally hurting someone in order to insult, humiliate, degrade or exclude him or her.

- i. Physical examples include: hitting, kicking, grabbing, shoving, spitting on, beating others up, damaging or stealing personal property.
- ii. Verbal examples include: name-calling, hurtful teasing, humiliating, threatening someone, degrading behaviours, over the phone or in person, through text messaging or chat rooms.
- iii. Relational examples include: making others look foolish, excluding peers, spreading gossip or rumours (may happen in person, over the phone or computer).

Code of Conduct: Parents, coaches, players, volunteers, executives and PMHA members must conduct themselves in a manner that will allow the values and goals of the PMHA to be achieved.

Complainant: The person making the complaint

Complaint: Description of the problem

Dispute Resolution: a committee put in place by the PMHA to independently review and evaluate complaints that are raised by the Complainant.

Emotional: A chronic attack on a child's self-esteem that is psychologically damaging by a person in a position of power, authority or trust (terrorizing, degrading and rejecting). This does NOT include benching a player for disciplinary reasons, cutting a player after tryouts, refusing to transfer a player, or limiting ice time.

Harassment: Offensive behaviour, emotional, physical and/or sexual that involves discrimination against a person because of their race, national or ethnic origin, age, colour, religion, family status, sexual orientation, sex/gender, disability, marital status, or pardoned conviction.

- It could be a single event or a pattern of mistreatment.

- It may be directed at an individual or group.
- Harassment occurs when someone attempts to negatively control, influence or embarrass another person

Neglect: Chronic inattention to the basic necessities of life (this may occur in hockey when injuries are not adequately treated, players are made to play with injuries, equipment is inadequate or unsafe, or road trips not properly supervised).

Physical: When a person in a position of power or trust purposefully injures or threatens. This can include: slapping, hitting, shaking, kicking, pulling hair or ears, striking, shoving, grabbing, hazing (humiliating and degrading initiation rite in which a player is forced to participate in order to be accepted), or excessive exercise as a form of punishment.

Respondent: The person with whom the complaint is about and who responds to the complaint

Sexual: When an older child, adolescent or adult for his or her own sexual stimulation or gratification, uses a young person. There are two categories:

- Contact: touched or fondled in sexual areas and;
- Non-Contact: Obscene calls, remarks on a computer, cell phone or in notes and any form of social media such as Facebook, Twitter, etc., sexually intrusive questions or comments, indecent exposure.

Team Designate: The person whom the team identifies as the person available to assist with the handling of complaints within the team (i.e. Team Manager or parent liaison).

Pelham Minor Hockey Association

Incident & Issue Reporting: Instructions and Guidelines



BEFORE submitting an Incident Report (Option 1) or a Complaint Form (Option 2) please review the following guidelines and procedural information.

You may also write a Letter of Complaint should you feel this form is not appropriate for your submission.

When should I file an Incident Report or Complaint Form?

- When you see an incident(s) that goes against any of the PMHA Constitution, Playing Rules, Code of Conduct or any PMHA Policies
- When you feel that an incident was inappropriate to children, adults, volunteers, parents, officials, opponents or coaching staffs by GCMHA members, players or visitors to our games.
- To begin an investigation into the conduct of an individual or into an event.

Can I submit an Incident Report anonymously?

- No...BUT by signing the bottom of the form, the witnesses' names are protected
- The incident report will be kept in a confidential file and any copies will have the witness names blocked out.

How do I submit the Incident Report?

- Decide if this a single item incident – if so complete Option 1
- If there is more to report and you would like to file a more comprehensive complaint, then go to Option 2
- Complete the form, make a copy and send to the **Executive Vice President/Risk Mgmt**, or mail it to the Post Office Box for PMHA. If mailing the form, address the envelope Attn: **XXXXX**
- **OR...**you may complete the online version of either of the forms for an electronic submission
- You may be asked to clarify any details and follow up may be given.

What is the protocol after an Incident Report or a Complaint Form is submitted?

- The Dispute Resolution & Discipline Committee (DRDC) will review the submitted report and keep the original on file
- The complaint will be vetted by the DRDC as a whole (witness names blocked out) and the committee will decide to proceed or not, or may direct to the appropriate avenue for resolution.
- If an investigation is warranted, the person named/involved will be informed of a complaint and asked to provide a response in writing. A meeting may also be called for verbal followup.
- The committee will then meet to discuss and decide the course of action (closure or consequences) to be taken.

If you believe that there may be a conflict of interest with the DRDC Chairperson, please forward the Incident Report to the **Vice President Administration** of the Association for further action. If you are concerned of any other potential conflicts of interest for other PMHA Board members who may become involved in investigating and following up regarding this submission or via the DRDC, please CLEARLY indicate that as well.

Pelham Minor Hockey Association Incident Report or Complaint Form



This notification form is to inform the Dispute Resolution & Discipline Committee and/or the Board of Directors of improper behaviour that was witnessed or is reported to have occurred at a PMHA Hockey event or function or within team business; potentially occurring in front of spectators, players, coaches, and/or officials. We bring this to your attention with the knowledge that your committee will review the incident and decide if the PMHA, OMHA or other policies and/or Code(s) of Conduct were violated and infringed upon.

Option #1: Single Incident Report

Name of person(s)	
Team	
Date of Incident	
Location	
Please describe the incident or the issue being reported on	

Submitted by: _____

Signature: _____

Phone #: _____

Witness #1: _____

Signature: _____

Phone #: _____

Witness #2: _____

Signature: _____

Phone #: _____

Option #2: Complaint Form



Name of person(s)	
Team	
Date(s) of Incident	
Location	

Submitted by: _____ Signature: _____

Phone #: _____

Particulars: Provide a summary of the incidents you are complaining about. Your summary must answer the following questions. This section should be no longer than 2 pages. You may attach any additional documents as necessary.

1. Date incident(s) happened
2. Where did the incident(s) happen?
3. Who was involved (Name and title/role)?
4. What happened?
5. How were you treated differently from others (if at all)?
6. How do the incident(s) relate to the ground(s) you selected?
7. Remedy/Resolutions you are seeking

