



## ONTARIO BASKETBALL FAIR PLAY POLICY AND PROCEDURES

### Role of the Commissioner of Fair Play and Resolution

#### 1. Receives complaint.

All complaints will be sent to the Commissioner of Fair Play and Resolution.

#### 2. Investigates complaint.

The Commissioner of Fair Play and Resolution provides a fair and neutral investigation of facts alleged in the complaint. To that end, the Commissioner of Fair Play and Resolution may communicate with the complainant and the respondent to clarify the following:

- Who is the complainant and what is the complaint?
- Does the complainant have direct eye witness evidence of the facts alleged?
- What Fair Play principles have been contravened?
- Who is the respondent? Are there multiple respondents?
- Is the respondent a player, coach, club or official?
- Is the respondent a member of OBA?

The Commissioner of Fair Play and Resolution may prepare a brief synopsis of his or her investigation to be placed before the Complaints Committee and, if necessary, the Discipline Committee.

#### 3. Sends complaint to the respondent.

The respondent is required to provide the Commissioner of Fair Play and Resolution with his or her response to the complaint.

#### 4. Creates a case file and sends the file to the members of the Complaints Committee or Discipline Committee.

The case file will contain the letters of complaint and response, the investigation report and any other relevant information.

#### 5. Receives a written decision from the Chair of the Complaints Committee or Chair of the Discipline Committee.

The Commissioner of Fair Play and Resolution should receive a written decision from the Chair of the Complaints Committee within one (1) week of sending the file, and a written decision from the Chair of the Discipline Committee within two (2) weeks of the Discipline Hearing.

#### 6. Proceeds with Complaints Panel's decision.

##### a) Complaint is Dismissed

- The Commissioner of Fair Play/Commissioner of Fair Play and Resolution sends a copy of the Complaints Panel's decision to the complainant, the respondent and OBA's Executive Director.

##### b) Complaint is Sent to the Discipline Committee

- The Commissioner of Fair Play and Resolution sets a Discipline Hearing date, time and place.
- The Commissioner of Fair Play/Commissioner of Fair Play and Resolution sends letters to the complainant and respondent giving reasonable notice (at least two (2) weeks) of the Discipline Hearing.

- The Commissioner of Fair Play/Commissioner of Fair Play and Resolution sends a copy of the case file to the members of the Discipline Committee Panel who will hear the complaint.
- Within two (2) weeks of the hearing date, the Commissioner of Fair Play and Resolution should receive a signed copy of the Discipline Committee Panel's decision from the Chair of the Discipline Committee.
- The Commissioner of Fair Play and Resolution sends copies of the decision to the complainant and the respondent.

c) Complaint is Sent to Mediation

- See Schedule A & B of Fair Play Policy.

### **Role of the Chair of the Complaints Committee**

**1. Receives the case file from the Commissioner of Fair Play and Resolution.**

The Chair of the Complaints Committee reviews the case file and determines, in conjunction with the Commissioner of Fair Play and Resolution, the best panel members to review the complaint, taking into account conflicts of interest such as familial relations, personal relations or monetary conflicts.

**2. Selects the Complaints Panel.**

The Chair of the Complaints Committee requests that the Commissioner of Fair Play and Resolution send copies of the case file to the selected Complaints Panel members.

**3. Complaints Panel reviews the complaint.**

It is the responsibility of the Chair of the Complaints Committee to ensure that the Complaints Panel's decision is written and signed within five (5) days.

**4. Reviews signed decision from the Complaints Panel.**

The Chair of the Complaints Committee reviews the Complaints Panel's decision to ensure completeness and accuracy. The decision is then forwarded to the Commissioner of Fair Play and Resolution.

### **Role of the Chair of the Discipline Committee**

**1. Receives the case file from the Commissioner of Fair Play and Resolution.**

The case file may contain letters from the complainant and respondent, the Complaints Panel's decision, letters of hearing notification to both the complainant and the respondent and any other relevant documents. The Chair of the Discipline Committee reviews the file and determines, in conjunction with the Commissioner of Fair Play and Resolution, the best panel members to participate in the hearing, taking into account conflicts of interest such as familial relations, personal relations and monetary conflicts.

**2. Selects the Discipline Panel.**

The Chair of the Discipline Committee requests that the Commissioner of Fair Play and Resolution send copies of the case file to the selected Discipline Committee Panel members.

**3. Attends the Discipline Hearing.**

The Chair of the Discipline Committee and Discipline Committee Panel members attend the Discipline Hearing, chaired by the Commissioner of Fair Play and Resolution. It is the responsibility of the Chair of the Discipline Committee to ensure that the Discipline Committee Panel's decision is written and signed within two (2) weeks following the hearing.

**4. Reviews signed copy of the decision.**

The Chair of the Discipline Committee reviews the Discipline Committee Panel's decision to ensure completeness and accuracy. The decision is then forwarded to the Commissioner of Fair Play and Resolution.