

## **PROVINCIAL COMPLAINT PROCEDURE**

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The rationale behind this complaint procedure is the provision of a vehicle to all our members to lodge a formal complaint in any area within the sport. All complaints are left to the Provincial Association to determine into which area the complaint is funnelled (coaching/officiating/other). A non-refundable administration fee of \$25.00 payable to the O.T.F.A. must accompany the complaint. The complaint will be considered invalid if the \$25.00 fee is not forwarded. At all hearings, both parties will be allowed to bring a representative. All complaints should be sent by registered mail.

#### **Complaint Procedure**

a) The individual making the complaint must indicate the particulars in a letter to the O.T.F.A. President, copying the individual or club or O.O.C. against whom the complaint is made.

b) The O.T.F.A. President will then contact the "Defendant" or group involved to ask for their version of the incident to be put in writing and sent to the O.T.F.A. President with a copy going to the "Plaintiff" and if necessary the O.O.C.

c) Once the O.T.F.A. President receives all the documentation, the President, in consultation if need be, will send all the information to whatever area is considered appropriate for action such as the O.O.C. with the added notation "for action and response as soon as possible, but no later than 30 days."

d) When a Committee Chairperson or delegate receives the information from the President, this person will contact the President of O.T.F.A. and indicate when some type of answer or decision will be forthcoming from that committee or delegate.

e) On all complaints, a 3-person sub-committee from within the Association should be created. Once they are a member of this sub-committee they should not be part of that Association's elected committee. The 3rd person should be selected with consultation and approval of the O.T.F.A. President. Furthermore, this person should be knowledgeable and have the expertise to chair the hearing.

f) The "Hearing Committee" of 3 will meet at a mutually agreed upon site and time with both parties separately, in order to establish in its honest opinion

a just decision. Both the "Plaintiff" and "Defendant" must be allowed to bring along a named representative.

g) Once the decision of the Hearing Committee is reached, it will be communicated to the President who, after consulting with the O.T.F.A. Executive for their approval, will have the responsibility of conveying the decision to both parties with a copy of that letter to the O.T.F.A. Office.

### **Appeal Procedure**

a) If the decision, or any part of the decision of the committee is not accepted by the parties and/or representatives involved, then a letter (registered preferred) must be sent and received by the President within 14 days to notify the President of this fact. Having received this letter within the proper time period, the President will consider an appeal hearing after consulting with the Chairperson of the "Hearing Committee" only, or, in the case of Harassment, with the Chairperson of the Disciplinary Committee. This Appeal Committee will consist of no more than 3 neutral people, none of whom should have been on the original "Hearing Committee". This meeting should take place within 30 days of receipt of the "Appeal Letter".

b) Once this Appeal Committee has met and deliberated, its findings will be conveyed to the President of O.T.F.A. who will confer with the O.T.F.A. Executive and convey the decision of the Appeal Committee in writing to both parties ("Plaintiff" and "Defendant").

c) The decision from the Ontario Appeal Committee is binding unless either party wishes to appeal to Athletics Canada under Rule 183 of the Athletics Canada Rules.