



Vancouver Female Ice Hockey Association

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DISPUTE RESOLUTION POLICY AND APPEAL POLICY

1. Where appropriate, the VFIHA strongly encourages parties involved in a dispute to seek a resolution through direct discussion or through voluntary mediation and the exercise of common sense before resorting to the review procedures set out in this policy. This is particularly the case when the dispute arises between a player or parent / guardian and a coach or other team official. Direct discussion with the parties in question must follow the official policies of VFIHA, which includes speaking to a Team Manager and not directly to a Coach, following the 24 Hour rule, etc. For specific examples, refer to the VFIHA Complaint Resolution Process.

2. Any member of the VFIHA or person playing under the auspices of the VFIHA (such person is in this policy called the “complainant”) who is affected by a decision of the directors, of any committee formed by the directors, or of any body or individual which has been delegated authority to make decisions on behalf of the directors (the person or body making the decision is in this policy called the “respondent”) will have the right to request a review of that decision.

3. References in this policy to a complainant will include at least one of the complainant’s parents or guardians where the complainant is a minor.

4. This policy will not apply to matters relating to :

- a) Rep Player Selection;
- b) Rep Team Official Selection;
- c) VFIHA Harassment and Abuse Policy;
- d) Decisions of the PCAHA, BC Hockey or Hockey Canada; or
- e) the rules of the game of hockey.

5. A complainant who wishes to have a decision reviewed will have seven (7) days from the date on which they received notice of the decision to submit written notice of intention to seek review, which notice will include the reasons for the request for review, to the VFIHA Executive Board.



6. A review will only be undertaken if there are sufficient grounds. Sufficient grounds include circumstances in which the respondent:

- a) Made a decision for which it did not have authority or jurisdiction as set out in the governing documents;
- b) Failed to follow procedures as laid out in the bylaws or the policies or rules of the VFIHA;
- c) Made a decision which was influenced by bias;
- d) Failed to consider relevant information or took into account irrelevant information;
- e) Exercised its discretion for an improper purpose;
- f) Made a decision which was patently unreasonable or that had no evidentiary basis; and / or
- g) Imposed a penalty which was unduly harsh in all the circumstances.

7. Within seven (7) days of receiving notice of a request for review, the President (or their designate) will engage the Appeal Committee in accordance with the following:

- The Appeal Committee will be composed of the VFIHA Director, Risk & Safety as chairperson, two VFIHA Executive Board Members and two other appointed members of the Association with no significant relationship with the appellant, who have had no involvement with the decision being reviewed, and are free from bias or conflict.

8. Within fourteen (14) days of its appointment, the Appeal Committee will review the notice of appeal and will decide whether or not there are sufficient grounds for the appeal. This decision is final and may not be further reviewed.

9. If the Appeal Committee is of the view that there are insufficient grounds for a review, it will notify the appellant of this decision in writing, providing reasons. If the Appeal Committee is of the view that there are sufficient grounds for a review, it will schedule a hearing.



10. The Appeal Committee will conduct a hearing in such manner as it thinks appropriate in the circumstances, provided that:

- a) The hearing will be held within fourteen (14) days of the Appeal Committee's appointment;
- b) The complainant and respondent will be given seven (7) days notice of the date, time, and place of the hearing;
- c) A quorum will be all five Appeal Committee appointees;
- d) A decision of the Appeal Committee will be by majority vote;
- e) Copies of any written documents which either the complainant or respondent wish to have the Appeal Committee consider will be provided to the other party and to the Appeal Committee at least two (2) days prior to the hearing, provided that a rebuttal document will be delivered as soon as feasible following receipt of the document being rebutted;
- f) The complainant and the respondent may be accompanied by a representative or advisor; and
- g) The Appeal Committee or either party may request that any other person may participate and give evidence at the hearing.

11. In order to keep costs to a minimum or to convenience either of the parties, the hearing may be conducted by means of a telephone conference or video call.

12. Within five (5) days of concluding the hearing, the Appeal Committee will deliver its written decision, with reasons. The Appeal Committee may decide:

- a) To set aside, vary or uphold the decision under review;
- b) To make any decision it feels the respondent should have made (in reference to Section 6-f); and / or
- c) To refer the matter back to the respondent for a new decision, correcting any errors that were made.



13. The Appeal Committee is entitled to grant the following relief or impose the following penalties:

- a) A reprimand and / or a warning;
- b) A demand that a person offer an oral or written apology to the appropriate person;
- c) A suspension;
- d) A demand that a person make restitution for any damage or costs caused;
- e) A recommendation to the directors that a member be expelled from the VFIHA;
- f) The placement of a person on probation;
- g) A requirement that a person take remedial courses;
- h) Dismissal of a person from their position;
- i) A combination of any of the above; or
- j) Such other remedy or penalty considered appropriate in the circumstances, and as permitted under the Laws of Canada & British Columbia.

14. A copy of the decision will immediately be delivered to each of the parties and to the President.

15. If the circumstances of the dispute are such that this policy will not allow a timely review, the President (or their designate) may direct that the timelines be shortened. Should this be the case, the parties and the Appeal Committee are expected to make every effort to comply with the shortened timelines in order to conclude the review in a timely way.

16. If the circumstances of the dispute are such that an appeal cannot be concluded within the timelines set out in this policy, the President (or their designate) will seek agreement from the parties to extend the timelines.

17. The appellant will have the right to decline a hearing in favour of a document review. In this event, the Appeal Committee will request both parties to provide written submissions upon which the Appeal Committee will make its decision.



18. The decision of the Appeal Committee in connection with the decision under review will be final and binding and not open to any further review or appeal. However:

- a) If the decision of the Appeal Committee reaches a conclusion on an issue other than the decision under review, and
- b) If that conclusion has an adverse effect on any person (for example, if that decision imposes or recommends a penalty on one of the parties or a third party), then that decision will be deemed to be a decision subject to review under this policy.