

# **NORTHEAST DIVISION (NED) POLICIES AND PROCEDURES MANUAL**

## **SUBJECT: DISCIPLINARY**

### **Addendum to BUSA Disciplinary Policies & Procedures**

#### **1. DISCIPLINARY COMMITTEE**

- 1.1. A committee of 3 members will be chosen by the NED Executive Committee and may be comprised of any NED member, including members of the Board. Participation on the committee is voluntary. The Committee must be chaired by a member of the NED Board of Directors.
- 1.2. The scope of the NED Disciplinary Committee authority shall include:
  - Misconduct at any NED tournaments, activity/tournament,.
  - Misconduct of any NED officer or chairperson.
  - Misconduct committed by anyone sponsored by Bowls USA.

#### **2. MISCONDUCT**

- 2.1. Misconduct is defined as:
  - Unsportsmanlike conduct.
  - Behavior in violation of socially acceptable standards of etiquette.
- 2.2. Misconduct shall include, but is not limited to:
  - Violations of W.A.D.A. policy, with regard to prohibited substances.
  - Use of any profane, indecent, or improper language.
  - Offensive or insulting behavior towards a fellow lawn bowler.
  - Actions which brought, or could bring, NED into disrepute.
  - Inappropriate physical contact.
  - Behavior in violation of the person's responsibilities in their position as a Bowls USA representative or NED elected/appointed position.

#### **3. DISCIPLINARY PROCEDURE**

- 3.1. An allegation of misconduct shall be made in writing to the NED President, who will then advise the Board that a complaint was received.
- 3.2. The NED Disciplinary Committee shall then be created by 1.1 and will be tasked to:
  - Immediately inform the accused of the allegation(s) and provide the following information:
    - the nature of the allegation(s)
    - the source of the allegation
    - copy of the disciplinary policies and procedures
  - Provide all members of the Disciplinary Committee and Board of Directors with a copy of the disciplinary policies and procedures.

- Investigate the allegation as thoroughly as possible through interviews and other means by using written correspondence and electronic communication.
  - Document all interviews and research to be submitted to the NED Secretary for recordkeeping after the accused has been notified of the final findings.
    - In the event of an incomplete investigation, all documentation will be provided to the NED Secretary upon suspension of the investigation.
- 3.3. The accused shall have 14 days to respond in writing and/or request a hearing. If a hearing is requested, it will be set within seven (7) days of receiving notice of the request. **Note:** The accused will not have access to original complaint to avoid any bias in their account of the incident. Accounts will be then shared with both parties after the Disciplinary Committee has received and reviewed them.
- 3.3.1. Written Response:
- The Disciplinary Committee will provide all parties with an address to send any written correspondence or documentation.
- 3.3.2. Hearing Request:
- If a hearing is requested it will be set within 7 days from receipt of the request.
  - The hearing will be closed door with only the committee, accused and witnesses present.
  - Any hearing will be held at a location chosen by the Disciplinary Committee. If a teleconference is chosen by the accused, it will be conducted at a time designated by the committee.
  - Upon request to the committee by the accused or on the committee's own motion, the date for the hearing or the time to submit evidence may be extended for a reasonable length of time.
  - Any hearing will include the right of the accused to present witnesses and/or documentary evidence.
- 3.4. The NED Disciplinary Committee shall report its findings, clearly and concisely in writing, to NED Executive Committee stating either that the allegation(s) do not justify any further action; or that the allegation(s) is (are) substantiated and that the committee recommends one of the following courses of action:
- Warning
  - Probation
  - Removal from elected/appointed office
  - 1 year suspension from NED sanctioned events from date of the verdict.
  - Termination of membership and participation in NED functions, events, and tournaments.
- 3.5. The NED Executive Committee will have 14 days to review the report from the NED

Disciplinary Committee and ensure it meets the above requirements in 3.4, asking for clarifications if necessary, and present the Disciplinary Committee's decision by:

- Notifying the accused of the ruling. The accused will then have 14 days to file an appeal from the date of notice of the decision. The appeal will be heard before the NED Executive Committee when possible and if there are no conflicts of interest. In these cases, the Bowls USA Disciplinary Committee or another arbitrator agreed upon by both parties will hear the appeal. If outside arbitration is selected, both sides will split the costs of the arbitration equally.
- If no written notice of appeal is filed within 14 days of the decision, the decision of the NED Disciplinary Committee will become final.

#### **4. CONFIDENTIALITY**

- 4.1. All parties, including the accuser, accused, members of the Disciplinary Committee, and members of the Board of Directors shall keep strict confidentiality throughout the disciplinary process.
- 4.2. All final decisions may be made available to Bowls USA upon request.