

# ALBERTA BROOMBALL ASSOCIATION

## BYLAWS

### ARTICLE 1 – DEFINITIONS

- 1-1 ABA - The Alberta Broomball Association
- Zone- The ABA shall be comprised of eight (8) zones. A zone being a designated area comprised of at least one team.
- League - A local or regional organization comprising of teams that play a minimum of twelve (12) games per season. Each league or organization should have a constitution and an elected executive.
- Team - A team must consist of a minimum of twelve (12) participation in order to be recognised.
- Member - A registered player, officials, minor officials, coach, manager, League, Executive, Provincial Executive and Directors that are recognised by the Association.

### ARTICLE 2 – MEMBERSHIP

- 2-1 The ABA shall be comprised of members who are duly recognised by their respective leagues and who may be admitted or re-admitted to membership in the ABA from time to time by resolution of a general meeting. As a condition of membership shall agree to abide by and comply with the constitution of the ABA and observe faithfully the ruling of those charged.
- 2-2 Annual membership fees and any special assessment fees shall be set by resolution of the general membership of the ABA. The membership fee structure will be set in two stages. Membership will first be offered to leagues within a league, which shall have all fees paid in full no, later than October thirty-first (31) of each year. The second stage will be for the team membership and all fees must be paid by November thirtieth (3) of each year.
- 2-3 Player registration with the ABA is to be in writing no later than the first day (1<sup>st</sup>) of December of each year.
- 2-4 All coaches, managers, officials must register with the Association.
- 2-5 Membership fees will be established by the ABA Executive on an annual basis for all categories of players, leagues and officials.

### ARTICLE 3 – JURISDICTIONS

- 3-1 The jurisdiction of the ABA shall be limited to the registered members of the Association encompassing all affairs and/or all related affairs pertaining to the ABA. The Association shall serve as a mediator or arbiter in any disputes when requested by any member of the Association.

### ARTICLE 4 – ANNUAL MEETING

- 4-1 The annual general meeting of the members shall be held at a time and place chosen by the Board of Directors. The annual general meeting will be held in the fall (Sept/Oct) prior to the commencement of the upcoming season.

- 4-2 The order of business at the annual general meeting shall be:

- a) Call to order
- b) Roll call of delegates
- c) Presidents address
- d) Financial reports and statement
- e) Reports of special committee
- f) Amendments to By-laws
- g) General Business
- h) Election of directors
- i) Site of next annual meeting
- j) Adjournment

- 4-3 The following rules shall govern the conduct of business at meeting:

- a) A motion shall be received in writing or verbal after the delegate has respectfully addressed the chair. He/she shall confine his remarks to the motion in question and shall not be interrupted unless upon a point of order.
- b) After a motion has been presented, discussion shall follow and that motion shall be decided by a majority of votes.
- c) No amendments to a motion shall be in order after an amendment to an amendment.
- d) When a motion is under debate, no other motion shall be entertained until the first motion has been decided.
- e) There shall be no debate upon any questions after it has been put to a vote by the chairman.
- f) Unless a ballot vote is requested by any voting delegate, a show of hands will decide all motions.

- 4-4 A general meetings shall be convened by order of the President, or the executive, for any date and time deemed necessary. This meeting must be convened within thirty (30) days of receipt, by the President of written request for such a general meeting from any five (5) member leagues or the ABA.
- 4-5 A printed or type written notice of a general meeting of the ABA stating the day, hour and place of the meeting and general nature of the business to be transacted shall be delivered or posted at least seven (7) days before the date of such meeting.
- 4-6 The quorum for any general meeting or special meeting of the ABA shall be composed of representatives from 50% of the existing leagues.
- 4-7 Each League shall be allowed two (2) votes at a general meeting, the two delegates must be selected and recognized as such by the chairman of the meeting. Should only one delegate be in attendance, the league shall have only one vote.
- 4-8 The President shall be the chairman of all general meetings of the Association: in his absence, the Executive shall choose one of the executive members present to chair the general meeting.
- 4-9 Special meeting shall be convened by the order of the President for any date and time as is necessary to resolve any emergency type issues that may have arisen.

#### ARTICLE 5 – BOARD OF DIRECTORS

- 5-1 The affairs of the Association shall be managed by the Board of Directors, which shall consist of the members of the Executive Committee and one elected or appointed representative from each league.
- 5-2 The Executive Committee shall be composed of the following:
  - a) President
  - b) Vice-President
  - c) Secretary
  - d) Treasurer
  - e) Minimum of four (4) Committee Members
  - f) Past President
- 5-3 Meetings of the Board of Directors shall be held at such place and time as shall be determined by the President. A Majority of the members of the Board of Directors shall constitute a quorum at any meeting of the Board of Directors
- 5-4 Questions arising at any meeting of the Board of Directors shall be decided by a majority of votes. In the case of equality of votes the President shall have the deciding vote.



- 5-5 The Executive Committee members with the exception of the Officials Committee Chairperson shall be elected for two (2) year terms at an annual general meeting.
- 5-6 The Officials Committee Chairperson shall be appointed by the other members of the Executive Committee.
- 5-7 The representatives from each league shall be elected to or appointed by their respective league for two (2) year terms.
- 5-8 In the event that a league does not have a registered team within its boundaries, that league representation shall remain vacant.
- 5-9 Any member of the Association may stand for election. All members standing for election must indicate at the time of the nomination, or in a signed statement their willingness to stand for the position they are nominated for.
- 5-10 All elected or appointed members of the Board of Directors shall take office on the first day of December following their election or appointment.
- 5-11 Vacancies in any of the Executive Committee positions shall be filled by a majority decision of the Board of Directors.
- 5-12 Vacancies in any of the representative position shall be filled by the league involved.
- 5-13 The members of the Board of Directors shall serve as such without enumeration and shall not profit from their positions, provided that a director may be reimbursed for reasonable and substantiated expenses incurred in the performance of his/her duties.
- 5-14 Any voting delegate or member of the Board of Directors may call for vote of confidence on any member of the Board of Directors at a general meeting.

#### ARTICLE 6 – DUTIES OF BOARD MEMBERS

- 6-1 The President, who also shall be a Director shall if present preside at all Executive meetings of the ABA, shall sign all documents which require his signature and shall perform all duties as may be required of his office. The President shall have such other duties as may from time to time be assigned to him by the Executive Committee or a general meeting of the Association. The President shall be the official representative of the ABA and the President has the power to act as he deems necessary to him from time to time by resolution of the Board of Directors of the ABA.
- 6-2 The President shall exercise general supervision and control of all the affairs of the ABA. The President may conduct a vote of the Board of Directors or members on any matter by mail or phone when the President deems such a vote necessary due to an urgent situation.

- 6-3 The Vice-President shall assist the President and shall have all powers that may be assigned to him on a resolution of the Board of Directors or by the President.
- 6-4 The Treasurer shall keep an accurate record of all monies received and disbursed by the Association and shall submit annual statements to the membership. The Treasurer shall have care and custody of all monies funds and securities of the Association and shall deposit the same in the name of the Association in such bank or banks as the Board of Directors requires
- 6-5 The Secretary shall attend all meeting of the Board of Directors and general meeting of the Association and record all facts and minutes of all proceedings in the books kept for that purpose. Shall be responsible for the receipt of all registrations and perform all duties as may be require d by the Board of Directors or the membership.
- 6-6 Every Executive member of the Association or other person who has undertaken or is to undertake any liability on behalf of the Association and heirs, executors and administrators, and estate and effects, respectfully, shall from time to time and at all times be indemnified and saved harmless, out of funds o f the Association, from the against:
- a) All cost, charges and expenses whatsoever which such Director, Officer, or other person sustains or incurs in or about any action, suit, or proceeding which is brought, commenced, or prosecuted against him for or in respect of any act, deed, matter, or thing whatsoever may done or permitted by him in or about the execution of his duties of the office or in respect of such liability.
  - b) All other costs, charges, and expenses which he sustains or incurs in or about or in relations to the affair, except such costs, charges, or expenses as are incurred by his own wilful neglect or default.
- 6-8 No Executive member, for the time being of the Association, shall be liable for the acts, neglects, or defaults of any other Executive member or employee or for any loss damage, or expense happening to the Association through the insufficiency or deficiency of the title to any property acquired by order of the Executive or on behalf of the Association, or for the insufficiency or deficiency of any security in or upon which any of the moneys of or any loss, damage arising from the bankruptcy, insolvency, or tortuous act of any person.

#### ARTICLE 7 – DOCUMENTS AND CHEQUES

- 7-1 All cheques or other orders for the payment of money and notes or other evidence of indebtedness shall be signed by two (2) members of the Executive Committee that the Committee shall specify.



## ARTICLE 8 – RULES AND REGULATIONS

- 8-1 The official rules and regulation of the play under all sanctioned events of the ABA shall be determined by the Board of Directors or by resolution at a general meeting.

## ARTICLE 9 – CODE OF CONDUCT AND DISCIPLINE POLICY

- 9-1 Officers and Members of the ABA, **including all Athletes, Coaches, Officials and Volunteers** are expected to adhere to the guidelines and obligations as outlined in the Constitution and By-LWS, Official Rule Book, and Policies and Procedures Manual.
- 9-2 The ABA encourages its Associations to establish policies and procedures for discipline matters within their jurisdiction.
- 9-3 Member Associations of the ABA agree to apply and enforce disciplinary action taken by the ABA
- 9-4 The ABA and its Associations agree to apply and enforce disciplinary action taken by an Association.
- 9-5 All Officers and Members affiliated with the ABA shall:
- a. Attempt at all times to work toward the goals and objectives of the ABA and the game of Broomball;
  - b. Strive to heighten the image and dignity of the ABA and the sport of broomball as a whole, and to refrain from behaviour which may discredit or embarrass the ABA or the game;
  - c. Always be courteous and objective in dealings with other members;
  - d. Refrain from unfavourable criticism of members or representatives of the ABA except when made through proper channels;
  - e. Strive to achieve excellence in the sport while supporting the concepts of fair play and drug-free sport; and
  - f. Show respect for the cultural, social and political values of all participants in the sport from other nations.
- 9-6 An individual's conduct shall be in question when they;
- a. Use their position within the ABA for personal and/or material gains;
  - b. Wilfully circulate false, malicious statements, derogatory to any other member of the ABA;

- c. Wilfully ignore or break the bylaws, policies, and/or rules and regulations of the ABA
- d. Counsel others to ignore or break the bylaws, policies, and/or rules and regulations of the ABA
- e. Act in such a manner as to dishonour, embarrass or disgrace the ABA or any of its members/participants.

### **Discipline Procedures**

- 9-7 Disciplinary Committees will be established for Provincial Events and they are empowered to enforce all the rules of the *CBF Rule Book*. Decisions made by the committee are binding. The committee may also make recommendations to the Executive for Action on issues.
- 9-8 Disciplinary action may be taken as a result of a breach in any rules, regulations or guidelines recognized by the ABA. Unless otherwise identified, the Executive is responsible to investigate all complaints or actions that warrant disciplinary action.
- 9-9 The Executive may carry out any disciplinary action other than revoking of memberships. Disciplinary action includes:
  - a. Warning – notification that continued behaviour could lead to further disciplinary action;
  - b. Suspension – of participation in a set number of games or other participation in Association activities;
  - c. Fines – monetary penalty established and authorized by the Association and
  - d. Other actions defined by committees.
- 9-10 All issues requiring investigation or disciplinary action shall be auctioned only upon receipt of written documentation. The document should contain:
  - a. Particulars of the person originating the correspondence (Name, Role in Association if applicable, Contact numbers).
  - b. Details of the issue;
  - c. Date of occurrence;
  - d. Parties involved;
  - e. Names and particulars of witnesses;

- f. Documentation or evidence (photos, recordings, etc); and
  - g. Recommendations, if applicable.
- 9-11 Harassment complaints may be verbally initiated and should be directed to the President. Written corroboration, as per paragraph 3.10 above, will eventually be required.
- 9-12 Associations must be informed, in writing, of any action taken against themselves or their members;
- 9-13 The following chart should be used to investigate incidents. The President will coordinate activities specific to situations not listed below.

<b>CONCERN</b>	<b>ORIGINATOR</b>	<b>INVESTIGATIVE PROVCESS</b>	<b>ACTION</b>
Harassment Complaint	Individual being Harassed	Executive member with experience in the field investigates and presents results to ABA Executive. Recommendations are made and discussed. Legal advice should be sought, as required	All parties, including their association are informed of the results in writing. Possible actions include: <ul style="list-style-type: none"> <li>- Suspension</li> <li>- Apology</li> <li>- Recommendation for Sensitivity training</li> <li>- Recommend revoking of membership (AGM)</li> </ul>
Code of Conduct issue	Observance by Executive member Complaint from Association Executive Complaint from membership Complaint from Sponsor	Executive member assigned to investigate and make recommendations to ABA Executive. If any Executive member is the subject of an investigation, then an Arbitration Committee should be established	
Rules of the Game	Sanctioned Disciplinary Committee from National Event	Committee investigates and makes recommendations to the President	Affected members and Associations informed in writing of the decision



- 9-14 Any member of the ABA whose conduct is in question will:
- a. Be notified of the unacceptable situation by the ABA President (or selected representative) and counselled to change their action or behaviour. Initial contact may be verbal, but must be followed up by a letter. The notification/letter shall:
    - i Contain details of the incident(s) or situation with specific reference to the ABA regulation contravened.
    - ii Provide direction as to the corrective measure to be taken.
    - iii Identify a date by which the behaviour must be corrected.
    - iv Identify consequences of failure to correct behaviour.
    - v Be subjected to further disciplinary action if behaviour is not modified.
- 9-15 All parties involved in an investigation and/or disciplinary action shall be informed in writing of the particulars of the situations. All parties will have the right to make representation (at their own expense) to the investigating officer.

### **Appeals**

- 9-16 The ABA endorses the principles of justice and due process, which allows an individual the right to a hearing and an appeal of any action, which affects their right.
- 9-17 Appeals relating to ABA disciplinary decisions may be made to the ABA Executive in writing within fifteen (15) calendar days of an appellant receiving a disciplinary action. The appeal should be addressed to the ABA President
- 9-18 Appellants are responsible to ensure the action is actually subject to an appeal and ensure the letter contains the following information:
- a. Date original disciplinary action was made;
  - b. Specifics of the disciplinary action;
  - c. Grounds for appeal.
- 9-19 Appeals will be heard in a timely and cost efficient manner. Upon receipt of a legitimate appeal, the President will establish an Arbitration Committee to hear the appeal.
- 9-20 The ABA is not responsible for costs incurred by any parties involved in the appeal with the exception of the Arbitration Committee

- 9-21 The Arbitration Committee:
- a. Will be comprised of an Executive member, a representative from the appellant's Association and another ABA member from a different Association to which all parties agree. The President will be the point of contact for all matters relating to the appeal until the committee has been established.
  - b. Shall not have to convene to hear the appeal but may conduct business via teleconferencing or other expedient means;
  - c. Will take all information into consideration;
  - d. May contact all parties involved in the original disciplinary action decision;
  - e. Agree with a unanimous vote, whether to uphold or NOT support the appeal;
  - f. May not recommend further action against the appellant specific to the original disciplinary action;
  - g. Will inform the President, in writing, of the results of the hearing, including recommendations. The committee will ensure any recommendations are attainable within the guidelines of the Association's jurisdiction;
  - h. Will forward all documentation used in the hearing to the ABA Office; and
  - i. Decisions will be final and binding to all parties.
- 9-22 Upon receipt of the Arbitration Committee's report, the President will notify the appellant and their Association of the results of the appeal. The President will also inform the Executive of the decision and any recommendations.

#### ARTICLE 10 – FISCAL YEAR

- 10-1 The fiscal year of the ABA shall run from May 1<sup>st</sup> of any given year and terminate on April 30<sup>th</sup> of the following year to provide the most accurate period of time to account for all Association business.

#### ARTICLE 11 - AMENDMENTS

- 11-1 These bylaws may be amended only at any annual meeting by a special resolution supported by three-quarters majority of all voting delegates at the general meeting.
- 11-2 When no notice of motion has been served, change in the constitution can be considered at an annual general meeting only by unanimous vote of the voting delegates at the meeting

- 11-3 Notice of motion to amend the constitution must be sent to the President of the ABA in writing thirty (30) days prior to the annual general meeting. Copies of all notices will be forwarded to each member league eligible to vote.

#### ARTICLE 12 – TERM OF OFFICE

- 12-1 The persons holding office with the ABA as of the AGM in October, shall hold office after election until November 30<sup>th</sup> of that year.
- 12-2 a) The positions of President, Secretary and two Committee Chairpersons shall be filled for tow year terms on years ending in odd numbers.
- b) The positions of Vice-President, Treasurer and two Committee Chair person shall be filled for a two year tem on years ending in even numbers.

#### ARTICLE 13 – EXERCISE OF BORROWING

- 13-1 The President and Treasurer of the association shall have authority to borrow funds necessary for operations of the ABA from recognized banking institutions when the need arises.

#### ARTICLE 14 – AUDIT

- 14-1 The accounts of and the financial statement of the ABA shall be verified by tow directors of the Association other than the President and the Treasurer.
- 14-2 The financial statement and any of the books of the Association will be maintained at the residence of the Treasurer and shall be available for the scrutiny by any member of the ABA on appropriate notice.

#### ARTICLE 15 – CORPORATE SEAL

- 15-1 The ABA does not require the use of a corporate seal for any of its documents and will not maintain on at its offices.

#### ARTICLE 16 – WITHDRAW/EXPULSION

- 16-1 Withdrawal from membership may be voluntary with written notice to the Association office, with no reimbursement of fees or may be involuntary for non-payment of fees.
- 16-2 Expulsion from membership may occur upon a two-thirds vote of the Association members at a general meeting, for any cause, which the ABA deems justifiable. The Board of Directors must receive appeals, within 30 days of the general meeting and decisions on appeals will be made by a majority vote of the Board.



