

## APPEALS COMMITTEE

### **Directive**

The Appeals Committee is structured to review and render decisions on appeals submitted by ORILLIA MINOR HOCKEY ASSOCIATION members in regards to decisions made by the Incident Review Committee (IRC).

The appeals committee may hear legitimate complaints about the conduct and actions (not decisions) of board members. The complaint must be specified in writing outlining the reasons. The Appeals Committee will determine whether the complaint will be heard.

Members of the Appeals Committee are members of the community who have no present affiliation or involvement with Orillia Minor Hockey. The committee members will serve a two-year term.

Members appealing decisions made by the IRC must be aware Appeals Committee is not empowered to re-open a matter in order to view all of the original material presented with the intent of producing a new decision. The Appeals Committee will only review a decision or hear an appeal under one or more of the following conditions:

- a) New relevant evidence that was not available to those persons who made the decision that is being appealed.
- b) An appeal may be filed on the grounds of irregularities in the proceedings of the original hearing that may have caused an unjust decision.
- c) An appeal maybe filed on the grounds that the decision of the original hearing was too severe.
- d) An appeal maybe filed on the grounds that there is proof to establish that the decision of the original hearing was reached in an unjust manner.
- e) A written request for an appeal hearing based on one or any of the above criteria must be submitted to the hockey office within 72 hours of the original decision and be accompanied by a \$100.00 hearing fee.
- f) Only those Appeals filed from May 1<sup>st</sup> to April 30<sup>th</sup> of the current hockey season will be heard.

**Please note:** The above conditions does not relate to complaints made against the actions or conduct of Board members. When a complaint is made against the Board or Board member an investigation will be conducted by the Appeal Committee.

The participants of an officially convened Appeals Committee hearing will be represented by the following:

- The appellant (i.e. Parent, player)
- The designated spokesperson for the IRC whose decision is being appealed
- The members of the Appeals Committee

All other persons who are present will not be deemed to have official standing and may speak only with the permission of the Chairperson.

At each hearing, the Chairperson will endeavor to have business conducted in the following sequence:

1. Call to order
2. Introduction of Committee Members
3. Introduction of Designated Spokespersons
4. Appellant's presentation
5. Presentation on behalf of the Board or Committee who decision is being appealed.
6. Committee members questions to the presenters.
7. Rebuttal opportunities for the presenters, followed by summary statements.
8. Adjournment, followed by the private discussions required for the Committee members to render a decision. The Appeals Committee has authority to make decisions based on the case before them.

When the Appeals Committee's decision is to uphold the appeal, then one-half of the appeal fee will be returned. If the Committee's decision is to reject the appeal, then the ORILLIA MINOR HOCKEY ASSOCIATION will retain the full appeal fee that will be used to offset the costs of clinics and courses for all players and coaches. The decision of the Appeals committee shall be in writing.

All members must follow the proper process as set out in the Incident Resolution Process. **No member will be permitted to circumvent the process by going directly to the Appeals Committee.**

Decisions of the Appeals Committee may be appealed to Ontario Minor Hockey Association.