



Springfield Brewers

## **Springfield Brewers Softball Association**

### Constitution and Bylaws

#### **Article I – Name**

The name of the Association shall be Springfield Brewers Softball Association and herein the Constitution and Bylaws be referred to as SBSA or the Association.

#### **Article II – Jurisdiction**

1. SBSA recognizes all amateur sports played at Malahide Community Place, and claims jurisdiction over and recognizes its responsibilities as the governing body of fast pitch softball , 4-pitch and Blast Ball, as played by members of SBSA.
2. SBSA is recognized by the Township of Malahide as the governing body of fast pitch softball , 4-pitch and Blast Ball, as played by members of SBSA at Malahide Community Place.

#### **Article III - Aims and Objectives**

1. The purpose of SBSA is to carry on within Malahide Community Place, without monetary gain for its members, the following objectives:
  - a. Foster, develop, promote and regulate the playing of amateur softball;
  - b. Provide the game of softball as played by its members with proper safeguards in accordance with the spirit of true sportsmanship;
  - c. Encourage all eligible potential members to affiliate with the Association;
  - d. Establish a set of uniform rules for the playing of softball within the Association. The rules set by The Canadian Amateur Softball Association shall be the established rules as amended by the Association;
  - e. Initiate, promote and regulate play with other leagues / associations;
  - f. Assist in the establishment of other governing softball bodies if requested.
2. The Association shall be carried on without the purpose of gain for its members, and any profits or other accretions to the Association shall be used in promoting its objectives.
3. The Association is made up solely of volunteers. It will progress and succeeded because of this. It is incumbent on those who accept office to ensure that the same spirit and direction continues.



## Article IV - Philosophy of the League

The Association is established to develop the skills of playing softball, and to promote good sportsmanship, companionship, and just good old-fashioned fun, amongst the members of the League. It is incumbent upon all volunteers to provide role models that support this philosophy.

## Bylaws

### Article I – Membership

- 1) Individual Membership
  - a. Anyone elected as an Executive Officer (herein the Bylaws referred to as the 'Executive') shall be a member of the League.
  - b. All affiliated players, and their parents/guardians, coaches, scorekeepers, and umpires shall be members of the Association
  - c. Voting members must be of legal voting age.
- 2) Disqualification
  - a. Jurisdiction: Players, Coaches, Umpires, Scorekeepers, and any other volunteer shall cease to be eligible for participation in the Association at the discretion of the Association Board as outlined below:
  - b. Acts; of Disqualification: Players, Coaches, Umpires, Scorekeepers, and any other volunteer member of the Association may be disqualified for any of the following:
    - i. Conduct detrimental to the game of softball;
    - ii. Physical, Verbal or Mental abuse, such as an attack on an official, an umpire, a player or an opposing team member, or the threat thereof, preceding, during or following a game; (detailed laid out in Harassment & Bullying Policy)
    - iii. Inappropriate language or actions, or abuse of any equipment supplied by the Township of Malahide or the Association;
    - iv. Commission of fraud, such as playing under an assumed name, falsifying an affidavit or roster, or giving false information on an application;
    - v. Participating while knowing he/she does not meet the Association's eligibility requirements;
    - vi. Contravening any of the Association's Bylaws or established Rules.
  - c. Disqualification Procedure; If a situation involving the conduct of a player or coach or other volunteer arises, the matter must be brought to the attention of the Association Board, and a special Board meeting shall be called to settle the matter.
    - i. Such special meetings shall have at least 50% of the Board members present.
    - ii. The person(s) involved must be invited to attend to explain their position. This invitation must be made in writing, or if verbal, be witnessed by at least one other Board member. Even if the accused fails to attend, the hearing will be held and a decision reached.



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- iii. Any vote taken in regards to the situation shall pass only with a 75% majority.
- iv. All such votes shall be open only to members of the Board, and shall be by secret ballot.
- v. The Board will take appropriate action (up to and/or including suspension or expulsion from the Association) based on the hearing evidence and subsequent vote, and notify the accused verbally within 48 hours, and then in writing within fourteen (14) days of the vote.
- vi. The decision of the Association Board shall be final.

### **Article II - Umpires Program**

1. It is the desire of the Association that all Umpires be as highly qualified as possible. It is with this intention that all volunteers participating in the Association as Umpires shall be encouraged to obtain Umpire Certification with Canadian Amateur Softball Association. Preferably the Junior Umpire program.
2. In order to promote this relationship, the League will reimburse 50% of the cost to all volunteers who obtain such Certification.
3. Paid umpiring will be used on special occasions as needed in either Tournament Play or during different league games.

### **Article III – Executive Members**

The affairs of the League shall be managed by Board Members and Executive Members (hereinafter referred to as the 'Board' and 'Executive" respectively)

consisting of the following:

- a) President; (Executive)
- b) Vice-President; (Executive)
- d) Secretary; (Executive)
- e) Treasurer; (Executive)
- f) Registrar
- g) League Rep / ORSA Rep
- h) Coaching & Training
- i) Equipment Manager
- j) Sponsorship / Fundraising Manager
- k) Scheduling Manager



## Article IV – Duties of the Board

### 1) The Board shall:

- a. conduct the business of the Association between the annual General Meetings of the Association;
- b. carry out such duties as required by the Bylaws and any Special Operating Rules;
- c. have the authority to suspend or expel players, coaches, umpires, or any other volunteers of the Association who do not abide by the Association's Bylaws and Special Operating Rules;
- d. oversee the supervision, modification and application of policies established by the Board;
- e. have the power to control the affairs of the Association and may exercise all such powers and undertake all such acts and things as a Association may exercise any do. This power includes such things as may not be included by these bylaws or by statute. Such powers are subject, nevertheless, to the provisions of:
  - i. all laws affecting the Association;
  - ii. the Bylaws; and
  - iii. rules, not being consistent with these Bylaws, which are made from time to time by the Association in Board meeting.
- f. No member of the Board shall hold a conflicting position as determined by the Executive.

### 2) The President shall:

- a. preside at all Association General and Board meetings;
- b. be an ex-officio member of all Association committees;
- c. supervise the general administration and management of the Association;
- d. supervise tasks assigned to members of the Board and ensure that all Association Constitution, Bylaws, Operating Rules, and Policies are respected;
- e. provide the liaison between the Association and the Township of Malahide;
- f. assign committee responsibilities to Board;
- g. obtain all permits required for the operation of the Association;
- h. collecting and submitting Police Check forms as per the Association Police Check policy;
- i. not bring motions to the floor.
- j. remind all Board members of upcoming Board meetings;
- k. be listed as a Director on all incorporation documents.

### 3) The Vice-President shall:

- a. assist the President as required;
- b. act for the President in his/her absence;
- c. act for the Head Convener in his/her absence;
- d. be listed as a Director on all incorporation documents.

### 4) The Secretary shall:

- a. keep full and proper records of the minutes of all Board meetings;
- b. maintain a record of all correspondence with outside parties;
- c. prepare and maintain a record of all correspondence required by the Association;
- d. Assist the President with the administration of Police Checks, if required;



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**5) The Treasurer shall:**

- a. keep full, and proper, records of the financial transactions of the Association;
- b. supervise all financial transactions of the Association;
- c. ensure that all Association monies are deposited in a registered Canadian financial institution as agreed to by the Executive;
- d. present regular financial statements at Board meetings and the Association's annual General meeting;
- e. be the financial advisor to the Executive;
- f. coordinate and supervise the Association budget;
- g. develop plans for controls, credit and collections;

**6) The Registrar shall:**

- a. manage the registration process;
- b. arrange for Association registration date(s) to be advertised in area schools and/or appropriate area newsletters and newspapers;
- c. ensure that all players participating in the Association have paid the required fees and arranges any required subsidies;
- d. ensure that all new players have provided proof of date of birth;
- e. receive payments and submit payments to the Treasurer;
- f. produce player lists for the Board to allow them to determine the team lists;

**7) League Rep / ORSA Rep shall:**

- a. arrange all agreements between the Association and the approved league that the Association will be competing in
- b. be present as the witness for all ORSA games
- c. represent the Association with all matters pertaining to the league and bring any of these matters to the Board for appropriate decisions

**8) The Coaching & Training Manager shall:**

- a. recruit sufficient Coaches for each team;
- b. assign players to their teams;
- c. ensure, to the best of his/her ability, that teams are equal in ability;
- d. act in conjunction with the League Rep and other coaches to eliminate the inequalities amongst the teams, within a time frame established by the Board (usually two to three weeks after the start of the season);
- e. pickup from the Equipment Manager and distribute uniforms / equipment to the coaches of each team;
- f. ensure that Coaches and/or players follow the rules as established by the Board;

**9) The Equipment Manager shall:**

- a. be responsible for the day-to-day maintenance of Association equipment;
- b. recommend to the Board any purchases of any new or replacement equipment required by the Association;
- c. make purchases of equipment as authorized by the Board.
- d. recommend to the Board a choice of uniforms for each team;
- e. arrange for approved uniforms to be ordered, picked up, and distributed to the appropriate teams.

**10) The Sponsor / Fundraising Manager shall:**

- a. prior to the official registration date, arrange to contact previous season's sponsors and request their continued sponsorship for the upcoming season;
- b. arrange to contact and sign up new sponsors, as and when required;
- c. arrange to supply the Equipment Manager with sample logos for each sponsor as required;



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- d. arrange to distribute to each sponsor appropriate shirts, game schedules, tax receipts, and sponsor plaques.
  - e. recommend to the Board any program(s) designed to raise funds for the Association;
  - f. arrange for any approved programs to take place;
  - g. recruit sufficient staff to carry out approved programs;
  - h. maintain, and submit to the Executive, a record of all costs/revenues associated with approved programs.
- 11) **The Scheduling Manager shall:**
- a. book all diamond time required by the Association
  - b. provide the Board with all costing associated with the booking of the diamond time
  - c. prepare all documentation needed to receive grants to help offset costing for the diamond time
  - d. provide printed / electronic schedules to all teams for the season

### Article V – Nomination and Election Procedures

#### 1) Selection and Terms of Office

- a. All members of the Executive shall be voting members elected at the Annual General Meeting for a one (1) year period.
- b. In the event that an elected Executive Member is unable to complete his/her term of office, the Executive Committee shall have the right to appoint a replacement.

#### 2) Nominations for Executive Positions

- a. Starting two weeks prior to the date of the General Meeting, for a period of one week nominations to Executive Committee positions will be accepted, in writing on forms made available at Malahide Community Place.
- b. Nominations may also come from those present at the annual General Meeting at the end of the SBSA season.
- c. Nominations for those not present must be accompanied by a consent form from the nominee.
- d. Nominations must be seconded by one other member at the annual General Meeting.
- e. Regardless of the method of nomination, a candidate may withdraw from the election at anytime prior to the actual vote taking place.

#### 3) Election of Executive Positions

- a. Association elections shall be by secret ballot at the annual General Meeting, except in the case of acclamation.
- b. Each Executive position (except Past President) shall be elected by fifty per cent (50%) plus one of the votes cast. Until this number is reached, the candidate receiving the least number of votes on any ballot shall be removed from the next ballot to be cast for the office.

#### 4) Period of Office

- a. The Executive Members of the Association shall continue in office until their respective successors are duly elected or appointed as provided for in the Bylaws of the Association.



## Article VI – Meetings

- a) Regular meetings shall be held approximately once per month from November to the end of the SBSA season, for the purpose: of conducting regular Association business.
- b) Special meetings may be called at the discretion of the President from time to time to discuss items of an emergent nature.
- c) A quorum shall consist of 50% plus 1 of the total Executive Committee.
- d) All members of the Association are welcome to attend Board Committee meetings and raise any questions and/or solutions.
- e) Motions made at any Board meeting shall be put forth only by Board members, and must be seconded by another Board member who must also be present at the meeting.
- f) Only Board members with a vote may vote on these motions. Each Board Committee member has one vote. (Except the President)
- g) In the event that an Board Committee position is filled by multiple people, only one vote may be cast for that position.
- h) In the event a person is filling multiple Board Committee positions that person may only cast one vote.
- i) The President will cast a vote only in the case of a tie;
- j) A simple majority shall be all that is required for such motions to be adopted.

## Article VII – Financial Matters

### 1) Accounts

- a. All approved accounts shall be covered by receipts which are to be turned over to the Treasurer in a timely fashion.
- b. All cheques written on the operating account of the Association shall be signed by the Treasurer and President.
- c. In the event that the Treasurer is unable to act, the President or appointed Board Member shall perform the duties of Treasurer.

### 2) Audit and Inspection of the Books

- a. The books and records of the Association shall be kept by the Treasurer.
- b. The books and records of the Association may be inspected by members of the Association, by appointment made through the President.

### 3) Purchases

- a. Major purchases (i.e. other than the day-to-day operational requirements of the Board) must have prior approval of the Board before being made.
- b. Where appropriate, three (3) quotes are to be obtained before major purchases are made.
- c. Where appropriate, the Board will approve 'floater' budgets for the use of those positions whose operations require the expenditure of Board funds in relatively small but consistent: amounts over the course of the season.
- d. all purchases requiring reimbursement from the Association must be submitted to the Treasurer with a receipt.

### 4) Registration & Outstanding Fees

- a. All registered players in the Association must have Association registration fees (paid no later than May 1<sup>st</sup> of the playing year. Any registered players that do not have fees paid will not be allowed to participate in games, practices, clinics, etc until fees are paid in full, Unless Board approval is granted.



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- b. Teams that have upcharges for Tournaments, League Affiliation fees, etc have the discretion of setting dates for when these fees are due to the team and can enforce the same rule as the Association for players not being allowed to participate in games, practices, clinics until these fees are paid in full
  - i. However the Association can restrict a team / coach participation in league games, practices, clinics and tournaments if the Association has covered costs for such and have not been reimbursed before the date of said event. This includes events from previous seasons and if this is the case said Coach is not allowed to participate or be involved with the team until fees that are in arrears are paid in full.

### **Article VII – Signature and Certification of Documents**

- 1) All approved Contracts, documents, or any instruments in writing requiring the signature of the Association, shall be signed by the President and such other officer of the Association that may be authorized from time to time by resolution of the Executive, and all contracts, documents, and instruments in writing so signed shall be binding upon the Association without any further authorization or formality.
- 2) The Executive shall have the power from time to time by special resolution to appoint an officer or officers on behalf of the Association either to sign contracts, documents, or instruments in writing: generally, or to sign specific contracts, documents, and instruments in writing.

### **Article IX – Amendment of Bylaws**

- 1) Amendments to the Bylaws shall be made by resolution from a member of the Board.
- 2) Proposed amendments must receive a simple majority of the votes in order to be enacted.
- 3) Adoption of amendments to this Constitution do not need confirmation by vote at the Annual General Meeting for the 2013 year (the inaugural year of the Association)
- 4) Adoption of amendments to this Constitution shall be subject to confirmation by vote at the next Annual General Meeting. (after the inaugural year of the Association)

### **Article X – Harassment & Bullying Policy**

#### *Respect in Sport*

SBSA is committed to creating a sport environment in which all individuals are treated with respect and dignity. Coaches have a responsibility to create a sporting environment that is free from harassment, abuse, bullying and neglect.

The SBSA follows closely the Respect In Sport guidelines as set out in the guidelines on:

[www.respectinsport.com](http://www.respectinsport.com)



## **Harassment Policy For SBSA**

### **Forward**

We want our Association free of Harassment and have developed the following policy which provides a policy statement, definitions, complaint and appeal procedure, disciplinary action and education/information strategy.

### **Policy Statement**

1. SBSA is committed to providing a sport and volunteer environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and volunteer in an environment that promotes equal opportunities and prohibits discriminatory practices. Harassment is a form of discrimination. Harassment is prohibited by the *Canadian Charter of Rights and Freedoms* and by human rights legislation in the province of Ontario. Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada's *Criminal Code*. Whether the harasser is a director, employee, coach, official, volunteer, parent or athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another. SBSA is committed to providing a sport environment free of harassment on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.
2. This policy applies to all directors, officers, employees, volunteers, coaches, athletes, officials, parent and members of SBSA. SBSA encourages the reporting of all incidents of harassment, regardless of who the offender may be.
3. This policy applies to harassment that may occur during the course of all SBSA activities, and events. It also applies to harassment between individuals associated with SBSA but outside SBSA business, activities and events when such harassment adversely affects relationships within SBSA's work and sport environment.
4. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from the Ontario Human Rights Commission, even when steps are being taken under this policy.

### **Definitions**

Harassment takes many forms but can generally be defined as comment, conduct or gesture directed toward an individual or group of individuals, which is insulting, intimidating, humiliating, malicious, degrading or offensive.

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when: Submitted to or rejecting this conduct is used as the basis for making decisions which affect the individual; or such conduct has the purpose or effect of interfering with an individual's performance; or such conduct creates an intimidating, hostile or offensive environment.



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Types of behavior that constitute harassment include, but are not limited to: written or verbal abuse or threats; the display of visual material which is offensive or which one ought to know is offensive; unwelcome remarks, jokes, comments, innuendo or taunting about a person's looks, body, attire, age, race, religion, sex or sexual orientation; leering or other suggestive or obscene gestures; condescending, paternalist or patronizing behavior, which undermines self-esteem, diminishes performance or adversely affects working conditions; practical jokes, which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance; unwanted physical contact, including touching, petting, pinching or kissing; unwelcome sexual flirtations, advances, requests or invitations; or physical or sexual assault.

Sexual harassment most commonly occurs in the form of behavior by males toward females; however, sexual harassment can also occur as behavior by females toward males, between males or between females.

For the purposes of this policy, retaliation against an individual for having filed a complaint under this policy; or for having participated in any procedure under this policy; or for having been associated with a person, who filed a complaint or participated in any procedure under this policy will be treated as harassment, and will not be tolerated.

### **Responsibility**

SBSA Board is to administer this policy, which shall be responsible for: discouraging and preventing harassment within SBSA; investigating formal complaints of harassment in a sensitive, responsible and timely manner; imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender; providing advice to persons who experience harassment; doing all in their power to support and assist any member or employee of Softball Saskatchewan who experiences harassment by someone who is not an employee or member of Softball Saskatchewan; making all members and employees of Softball Saskatchewan aware of the problem of harassment, and in particular, sexual harassment, and of the procedures contained in this policy; informing both complainants and respondents of the procedures contained in this policy and of their rights under the law; regularly reviewing the terms of this policy to ensure that they adequately meet the organization's legal obligations and public policy objectives; appointing harassment officers and providing the training and resources they need to fulfill their responsibilities under this policy

Every member of SBSA has a responsibility to play a part in ensuring that SBSA and its members are free from harassment. This means not engaging in, allowing, condoning, or ignoring behavior contrary to this policy. In addition, any member of SBSA who believes that a fellow member has experienced or is experiencing harassment is encouraged to notify a harassment officer appointed under this policy.

In the event that the SBSA Board is involved in a complaint that is made under this policy, SBSA shall appoint a suitable alternate for the purposes of dealing with the complaint.



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## **Article XI – Dissolution of the Association**

In the event of the dissolution of the Association, the Board shall, at its sole discretion:

- a) donate any remaining monies to a children's charity within the Township of Malahide;
- b) donate any physical inventories to a minor sports organization within the Township of Malahide or alternatively to a minor sports organization within Elgin County.

This Constitution and Bylaws adopted by vote; of the Board Committee of SBSA on February 13<sup>th</sup>, 2013.

This Constitution and Bylaws amended and adopted by vote; of the Board Committee of SBSA on June 27<sup>th</sup>, 2016

This Constitution and Bylaws amended and adopted by vote; of the Board Committee and members of SBSA on December 4<sup>th</sup>, 2016