

10. Appeals Policy

10.1. Purpose

CRRL provides Individuals with this Appeal Policy to appeal certain decisions made by the Association.

10.2. Scope and Application of this Policy

10.2.1. Any Individual who is directly affected by a CRRL decision will have the right to appeal that decision; provided the appeal falls within the jurisdiction of this Policy and there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.

10.2.2. This Policy **will not apply** to decisions relating to:

- a) Employment
- b) Infractions for doping offenses
- c) The rules of the sport
- d) Budgeting and budget implementation
- e) Operational structure and committee appointments
- f) Volunteer appointments and the withdrawal of termination of those appointments
- g) Decisions rendered by entities other than CRRL (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by CRRL at its sole discretion)
- h) Commercial matters
- i) Decisions made under this Policy

10.3. Timing and Conditions of Appeal

10.3.1. Individuals who wish to appeal a decision have fourteen (14) days from the date on which they received notice of the decision to submit, in writing to CRRL, the following:

- a) Notice of the intention to appeal
- b) Contact information of the Appellant
- c) A copy of the decision being appealed, or description of decision if written document is not available
- d) Grounds for the appeal
- e) Detailed reasons for the appeal
- f) All evidence that supports the appeal
- g) Requested remedy or remedies

- h) An appeal fee of two hundred dollars payable to CRRL (\$200) which will be refunded if the appeal is successful or forfeited if the appeal is denied.

10.3.2. An Individual who wishes to initiate an appeal beyond the fourteen (14) day period must provide a written request stating the reasons for an exemption. The decision to allow or not allow an appeal outside of the fourteen (14) day period will be at the sole discretion of CRRL and may not be appealed.

10.3.3. Appeals should be submitted to the President of CRRL.

10.4. Case Manager

10.4.1. Upon the receipt of an appeal, CRRL will appoint an independent Case Manager to manage and administer appeals submitted in accordance with this Policy and such appointment is not appealable.

10.5. Grounds for Appeal

10.5.1. An appeal may only be heard if there are sufficient grounds for appeal, as determined by the Case Manager. Sufficient grounds may include situations where the Respondent (CRRL):

- a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents)
- b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
- c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
- d) Made a decision that was grossly unreasonable.

10.5.2. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy.

10.6. Screening of Appeal

10.6.1. The Case Manager will have the following responsibilities:

- a) Determine if the appeal falls under the scope of this Policy.
- b) Determine if the appeal was submitted in a timely manner.
- c) Decide whether there are sufficient grounds for the appeal.

10.6.2. If the appeal is denied based on insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant and CRRL will be notified, in writing, by the Panel of the reasons for this decision. This decision may not be appealed.

10.6.3. If there are sufficient grounds for an appeal, the Case Manager will appoint an

Appeal Panel (the “Panel”) which shall consist of three persons to hear the appeal with one of the appointees designated to serve as the Chair.

10.6.4. The Case Manager will establish and adhere to timeframes that ensure procedural fairness and that the matter is heard in a timely fashion.

10.7. Procedure for Appeal Hearing

10.7.1. The Case Manager, in cooperation with the Panel, shall then decide the format under which the appeal will be heard. This decision may not be appealed.

10.7.2. The format of the hearing may involve an oral in-person hearing, an oral hearing by video or other electronic means, a hearing based on a review of documentary evidence submitted in advance, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held within a timeline determined by the Case Manager or the Panel.
- b) The Parties will be given reasonable notice of the day, time and place of the hearing, in the case of an oral in-person hearing, an oral hearing by telephone or video.
- c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing.
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense.
- e) The Panel may request that any other individual participate and give evidence at the hearing.
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate.
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome.
- h) The decision to uphold or reject the appeal will be by a majority vote of the Panel.
- i) The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

10.7.3. In fulfilling its duties, the Panel may obtain independent advice.

10.8. Appeal Decision

10.8.1. The Panel shall issue its decision, in writing and with reasons, after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:

- a) Reject the appeal and confirm the decision being appealed.
- b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision.
- c) Uphold the appeal and vary the decision.

10.8.2. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and CRRL within 14 days of the hearing's conclusion.

10.9. Confidentiality

10.9.1. The appeals process is confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

10.10. Final and Binding

10.10.1. The decision of the Panel will be binding on the Parties and on all individuals volunteering on behalf of CRRL.

10.10.2. No action or legal proceeding will be commenced against CRRL or Individuals in respect of a dispute, unless CRRL has refused or failed to provide or abide by the appeal process as set out in this Policy.

Policy Revision	Section(s) revised	Change Description	Effective Date
0		New	October 2021