

## Kereluk Road Recreation Society (KRRS)

### Discipline and Dispute Resolution Committee and Procedures

**WHEREAS** *KRRS bylaws* at Article 2.16 say:

A Member may be disciplined or suspended, but not expelled by the Society as a result of a complaint made by another member if that complaint is found, on a balance of probabilities, to be both valid and relevant to the Society. Accordingly, the Society will use the Dispute Resolution procedure, as contained in the policies of the Society, for the fair investigation and notification of the necessary parties for the hearing of such matters, with the latter to be in compliance with Section 70(3) of the Act. Where:

- (a) it is proposed that a Member be disciplined, such action may only occur if the matter is first heard by the Board concerning the discipline of the Member that is to occur is then approved by a majority of the directors, with the matter subject to review at the next general meeting on the application of any Member including the disciplined Member, and the decision of the Board subject to being reversed by the passing of an Ordinary Resolution; and
- (b) where it is proposed that a Member be suspended, such action may only occur if the matter is first heard by the Board and a resolution of all of the directors suspending the Member is approved, with the matter subject to review at the next general meeting on the application or, on the appeal of that decision by any Member including the suspended Member, and the decision of the Board subject to being reversed by the passing of a Special Resolution at the meeting. A suspended Member will be deprived of any rights and privileges of membership in the Society until, and only if possible, re-establishment as a Member in good standing in accordance with the Bylaws, code of conduct, policies and rules of the Society.

**AND** the *BC Societies Act* at Section 70 say:

- (1) The bylaws of a society may provide for the discipline or expulsion, or both, of members.
- (2) Unless the bylaws provide otherwise, a member of a society may be disciplined or expelled by special resolution.
- (3) Before a member of a society is disciplined or expelled under subsection (2) or the bylaws, the society must
  - (a) send to the member written notice of the proposed discipline or expulsion, including reasons, and
  - (b) give the member a reasonable opportunity to make representations to the society respecting the proposed discipline or expulsion.

**THEREFORE**, the Board of KRRS has resolved to establish a Discipline and Dispute Resolution Committee (the "Committee") to be responsible for any member disciplinary matters within the society in accordance with KRRS rules, policies, and bylaws, and to resolve member disputes. The committee shall have the following organizational structure, operating principles, and procedures:

**1) Committee Chair**

The Committee chair (the “Chair”) shall be the vice-president of the society.

**2) Committee Members**

The Committee members shall be the Chair, the president of the society, and at least one other director of the society to be appointed by the Chair.

**3) Meeting Frequency**

The Committee shall meet as required.

**4) Meeting Quorum**

A quorum of the Committee is 3 members.

**5) Meeting Procedures**

The Committee will use the same format for meetings as those used for Board meetings.

**6) Reporting Responsibilities**

The Chair of the Committee will regularly update the Board on the activities of the Committee, including the matters that have come before it and their current status or resolution.

**7) Complaint or Dispute Investigation Procedures**

- (a) When a written complaint is received the Chair shall appoint a committee member to investigate it. That committee member will interview all individuals involved, all witnesses to the event whose input is deemed to be relevant, and shall examine and retain, where possible, all physical evidence.
- (b) The committee may also at its discretion investigate matters of concern where the rules, policies, or bylaws of the society appears to have been breached but no complaint has been received.
- (c) Once an investigation is complete a report will be prepared which shall include a proposed course of action, if any. Proposed courses of action shall always be made in accordance with the principles of procedural fairness and natural justice.

**8) Authority**

- (a) A member of the society will cooperate with any investigation of the Committee to the extent required by the Committee.
- (b) The Committee will have access to all records of the society that it deems necessary in order to carry out its’ work.
- (c) The Board delegates its’ authority to the Committee where it finds that a member has contravened the rules, policies, or bylaws of the society to, when it deems it appropriate:
  - (i) Issue warning letters to members; or
  - (ii) Impose fines of up to \$100.

**9) Date of Penalty**

Any penalty imposed by either the Committee or the Board shall be effective as of the date of the meeting at which it was decided.

**10) Confidentiality**

Unless required for administrative purposes within the Board, or for the purpose of a decision at a meeting of the Board or the society members as to if a complaint made against a member is valid and what, if any, penalty will be imposed, all complaints made to the Committee and the investigations, proceedings, and decisions of it shall be kept confidential. All board members shall respect the confidentiality of the KRRS membership and not discuss active complaints with the membership outside of the scope of the investigation. Notwithstanding the foregoing, disclosures related to a complaint, the investigation, and the outcome may be made by the Chair or Committee to the extent that they consider reasonable and necessary to those directly involved in said complaint.

Dated this 4<sup>th</sup> day of August, 2024



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President