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BC Amateur Baseball Association

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Appeals Policy

Updated January 2025

(1.0) Introduction

Baseball BC believes in fostering a safe, welcoming, and inclusive environment for participants. As part of creating a safe environment, Baseball BC must hold individuals accountable for their conduct when it is in violation of Baseball BC policies, which may result in disciplinary sanctions. The purpose of this policy is to create a fair process for allowing individuals the opportunity to appeal disciplinary decisions that have been issued against them.

(2.0) Jurisdiction & Application

The appeals policy is only applicable to disciplinary decisions.

The appeals committee shall have jurisdiction over the following disciplinary matters:

a) An appeal of a disciplinary decision made by the Baseball BC discipline committee, that resulted in a suspension of four games or more.

b) At the request of a local sports organization or member, an appeal of a disciplinary decision, arising from a safe sport complaint.

c) At the request of a member, an appeal of a disciplinary decision, arising from game related conduct, including but not limited to, umpire ejections.

(2.1) Procedures when Baseball BC Assumes Jurisdiction over a Case

This paragraph applies to cases where Baseball BC assumes jurisdiction per sections 2.0 b-c of the appeals policy.

In these cases, the member's appeals policy would apply. Baseball BC's policies would not apply.

The decision rendered by the Baseball BC discipline committee is final. The member may not retry the case at the conclusion of Baseball BC's process.

When Baseball BC assumes jurisdiction over a case per sections 2.0 b-d of the discipline policy, the Baseball BC appeals committee will hear the appeal, using the member's appeal policy.

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(2.2) Procedures when ITP assumes jurisdiction over a case

This paragraph applies to cases where Baseball BC sends a case to ITP for processing.

In these cases, any appeal will be heard through a process determined by the ITP.

(3.0) Appeal Committee Composition

When the appeal involves a disciplinary decision described in section 2 (B or C) the Baseball BC discipline committee shall hear the appeal.

When the appeal involves a disciplinary decision described in Section 2 (A) the Baseball BC president (or designate) shall establish an independent appeals committee comprised of a chairperson and two additional members.

(4.0) Decision Making

When deliberating, the appeals committee shall seek to achieve consensus. When consensus cannot be achieved, the committee shall make decisions by majority vote.

(5.0) Deposit

For an appeal to be heard, the appellant must provide a deposit in the amount of $250. Should the appeal be upheld or partially upheld, the deposit is returned in full. Should the appeal be dismissed, the deposit is retained by Baseball BC.

(6.0) Deadline & Submission

An appeal of a decision made by the Baseball BC discipline committee must be made, including the submission of the deposit, within 48 hours of the disciplinary decision being issued.

An appeal must be made in writing to the chief executive officer of Baseball BC.

The appellant's written submission must clearly state their grounds for appeal, providing explanation and evidence to support their claim. The onus to prove the claim is on the appellant.

The appellant may submit written witness statements as part of their appeal.

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(7.0) Grounds for Appeal

The following are grounds for appeal:

a) A substantive error in findings.

b) A substantive error in applying or interpreting a rule, process, or policy.

c) A committee member's bias, conflict of interest, or partiality.

d) That a sanction is clearly unreasonable in proportion to the offense.

e) That the decision was outside the scope of the discipline committee's authority.

(8.0) Appeal Process

(a) The chief executive officer shall confirm reception of the written appeal.

(b) The appeals committee chairperson shall invite the appellant to submit any further documentation in support of their appeal and advise the appellant of their right to an online hearing. Such a hearing should be scheduled within five days of receiving the appeal. An online hearing is an opportunity for the appellant to verbally explain their appeal. The appellant may only speak to, and present evidence related to the grounds for appeal, as stated in their written submission. The appellant may not introduce new grounds for appeal in their online hearing.

(c) The appeals committee shall investigate, ask clarifying questions of the appellant, and speak to witnesses as deemed necessary.

(d) The appeals committee should release their final ruling within seven days of receiving the appeal.

(9.0) Status of Original Decision

Once an appeal is received, subject to the exceptions below, the original disciplinary decision is held in abeyance and the individual is permitted to resume participation, pending the results of the appeal.

If the discipline was issued because of an umpire ejection, the individual must serve their automatic one game suspension, per section 5.1 of the Baseball BC discipline policy.

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The original disciplinary decision will not be held in abeyance and the individual will continue to serve their suspension in the following circumstances:

a) The appeal process is delayed beyond one week at the fault of the appellant.

b) The individual was issued a suspension of 8 games or more.

(10.0) Expedited Process

This process is to be applied in cases where an appellant's suspension is held in abeyance under section 9 of this policy and the appellant is scheduled to participate in a Baseball BC event before the appeal would ordinarily be heard.

In this instance, Baseball BC may convene the appeal's committee and process the appeal in an expediated manner. When Baseball BC chooses to process an appeal in an expediated manner, the appellant is required to participate, at times determined by the chairperson. When an appellant fails to participate, thereby delaying the expediated process, the chairperson may determine that the suspension will not be held in abeyance.

(11.0) Appeal Committee Considerations

An appeals committee shall consider the following when determining whether to uphold an appeal:

a) That an error, described in section 7 (A or B) of this document, must be substantive and that the error led to an increased or unreasonable sanction.

b) When considering appeals under Section 7 (C) of this document, the appeals committee shall only uphold the appeal when the discipline falls outside the range of what is reasonable, not simply because the appeals committee would have come to a slightly different decision.

When the appeal involves a disciplinary decision described in Section 2 (B or C) of this document, made by another member organization, the appeals committee shall consider the applicable policies and procedures of that organization.

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(12.0) Appeal Committee Options

The appeals committee may:

a) Uphold the appeal and vacate the disciplinary sanctions in its entirety.

b) Dismiss the appeal and uphold the disciplinary decision in its entirety.

c) Partially uphold the appeal and modify the terms of the disciplinary sanction.