



# DISCIPLINARY REGULATIONS 2018

## PREAMBLE

1. ESF is committed to providing a sport environment which is athlete-centered, and which is characterized by open and clear communication, honesty, fairness and mutual respect.
2. Membership in ESF brings with it many benefits and privileges. At the same time, members are expected to fulfill certain responsibilities and obligations, including but not limited to, complying with the Code of Conduct, policies, rules and regulations of ESF.
3. The ESF Code of Conduct identifies the standard of behavior which is expected of members of ESF. Members who fail to meet this standard will be subject to the disciplinary sanctions identified within this policy.

## APPLICATION

4. This policy applies to all categories of members in ESF, as well as to all individuals engaged in activities with or employed by ESF, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees.
5. It applies to discipline matters which may occur during the course of all ESF business, activities and events, including but not limited to, tournaments, training camps, exhibitions, meetings and travel associated with these activities.
6. Discipline matters arising within the business, activities or events of provincial/territorial softball associations, teams, or affiliated organizations of ESF shall be dealt with using the discipline policies and mechanisms of such organizations.

## DISCIPLINARY PROCEDURES

7. Infractions during tournaments:
  - a. By players, coaches, managers or other team members on the playing field during a game.

**Only the umpire crew** can take decisions for infractions on the field during a game.

In the case of any ejection of a team member the umpire will submit a completed ESF Ejection Report to the game TC member, who will then determine what minimum sanction, if any, is required by ESF Disciplinary Regulations (Appendix).

A technical ejection – penalty for illegal re-entry etc – will not be grounds for further sanctions under para 7.a.

An ejection falling under the category 'Other Infractions' may not require further sanction.

The TC member will as soon as possible inform the Manager that the ejected player is subject to the minimum penalty as required by the Appendix and that the incident will be reported to the Technical Commission to determine whether any further sanction is to be applied.

The Report, with a note of the minimum sanction already applied, will then be promptly submitted to the Technical Commission to consider whether any further sanction should be imposed.

(The Commission will take into account the actions of the ejected player / manager following the incident, including reluctance or refusal to go to the specified area upon ejection, or returning to confront the umpire(s) after the game. They will also note whether this was the first or further such incident involving the individual(s) concerned).

If the Commission decide that no further sanction is required, the Manager of the ejected player's team will be so informed. If a further sanction has been determined, then a written Statement of that sanction will be provided to the manager and player involved.

Within two hours of receiving the Statement they may request a hearing to appeal against the further sanction applied. This hearing will be chaired by the EC member present or their substitute and may hear from the ejected player / manager (who may be accompanied by a representative), and Technical Commissioner(s).

There is no appeal against the decision of the EC.

b. By any person not on the playing field.

Any member of ESF mentioned in para 4 above, being a witness of an infraction occurring within the jurisdiction of the ESF, may submit a report to the TC chair of the tournament,

The TC chair shall give a copy of that report to the person involved, who can ask for a hearing. This request should be made to the TC chair within an hour after receiving the report.

At this hearing he / she may be accompanied by a representative.

Upon receipt of such report, the TC chair shall convene the Disciplinary Committee, no later than the end of that same day. The Committee then rules and decides the sanction, to be published after the hearing.

*NOTE: In situation b. the person involved may continue to play / manage their team, until the ruling from the Disciplinary Committee and any subsequent appeal to the EC present, is published*

c. Appeal to the decision of the Disciplinary Committee of the tournament

An appeal against the ruling or sanction of the Disciplinary Committee of that tournament must be sent to the ESF responsible (Tournament EC) within 2 hours. The appeal will be considered 'as soon as possible, it may take overnight for EC to consider / decide) and the result of this appeal will be sent to the offender.

There is no appeal against the decision of the EC.

d. All infractions which result in discipline shall be recorded on a Individual Sanction Record

All sanction reports will be made available to the Chief TC at future events.

8. Infractions by any member not during tournaments

Any member of ESF mentioned in para 4 above, being a witness of an infraction occurring within the jurisdiction of the ESF, can send in a report to the EC Disciplinary Commission

The Chairman and the members of this Disciplinary Commission will be appointed for a period of one year by the Executive Council at the post-congress meeting.

The Disciplinary Commission examines all disciplinary cases brought to their attention by any report relating to violations by players, officials or spectators,

Within **7** days of receiving the incident report, the Chair shall forward this report to the members of the Disciplinary Commission, with a proposed date for the meeting, which can be electronic, via SKYPE or equivalent.

They shall also send a copy of the report to the accused person.

This person has the opportunity to provide information concerning the incident **NO LATER** than 14 day after receiving the report, by sending all the arguments in defense to the Chair of the Disciplinary Commission.

The meeting of the Disciplinary Commission shall take place after this deadline has passed

The Disciplinary Commission shall rule, provided that:

- a) a quorum of at least 3 qualified Commissioners is required to consider the case.
- b) no member shall be qualified to vote if:
  - the examined case concerns them personally
  - they were part of the game as player, coach or official
  - the accused is from the same country
- c) the Panel may request that witnesses to the incident submit written evidence;
- d) decisions shall be by majority vote; the Chair carries a vote;

The Disciplinary Commission shall communicate their decision to the accused person.

**Appeals against the ruling of the Disciplinary Commission** must be sent to the ESF Secretary General within 14 days after receiving the ruling of the Disciplinary Commission. The appeal will be dealt with at the next ESF Executive Board meeting and the result of this appeal will be sent to the offender.

The accused has the right to be personally present at that meeting, but will be responsible for his / her travel and all other costs.

If the individual being disciplined does not participate in that meeting, the meeting shall proceed.

All infractions which result in discipline shall be recorded on an Individual Sanction Record.

All sanction reports will be made available to the TC chair at future events.

9. The preceding provisions may be modified or added to, as required by the provisions of any other pertinent ESF policy, such as those dealing with harassment, doping, personnel or event-specific matters.