

<b>Policy # 9.02</b>	<b>Refer to Policy #</b>
<b>4-H Alberta Grievance Policy</b> Any 4-H member, club, leader, parent, volunteer or committee has the right to submit a grievance and be heard and considered by a grievance or appeals committee if they believe an improper ruling/decision has been rendered.	
	<b>Approved</b>
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## Definition of Terms

**Constitution-** The binding written and approved document of basic principles and laws of a 4-H club, district, regional or provincial council. This document determines the powers and duties of the organizational body and determines the rights of membership. The basic 4-H Club Constitution outlined in the Leaders Information Manual will govern 4-H Alberta clubs that do not have a specific club constitution.

**By-Laws-**Rules adopted by a club, district, regional or provincial council and committees within the organization’s constitution and included for the benefit of governance of the organization’s membership and/or the regulation of the organization’s affairs.

**Club Event-** An activity, recorded in the club’s minutes, (competition, project-related or social in nature) planned & run by a registered 4-H club in Alberta that includes members, leaders and parents.

**Interclub Event-** An activity, recorded in the organizing entity’s minutes, (competition, project-related or social in nature) planned for participation by club or individual membership, including members, leaders and parents, of more than one (1) club.

- Invitational project event: when one organization organizes the event and invites 4-H clubs to attend and participate. An invitational 4-H event must be organized or sanctioned or by an approved 4-H entity.
- Interclub 4-H project event: when one or more 4-H clubs are involved in the organization and members of two or more clubs participate.

**District Event-** An activity, recorded in the organizing entity’s minutes, (competition, project-related or social in nature) planned by a registered 4-H club or district in Alberta for participation by club or individual membership, including members, leaders and parents, from within the district.

**Regional Event-** An activity, recorded in the organizing entity’s minutes, (competition, project-related or social in nature) planned by a registered 4-H club, district or region in Alberta for participation by club or individual membership, including members, leaders and parents, from within the region.

**Provincial Event-** An activity (competition, project-related or social in nature) planned and promoted by an 4-H Alberta for participation by club or individual membership, including members, leaders and parents, from 4-H Alberta.

**Project-** The practical activities and all other elements relating to the project area(s) in which a 4-H member is registers within his/her 4-H club, and undertakes in a 4-H year.

**Program-** An activity organized for the betterment of member and/or leader personal development.

**Rule-** A prescribed and accepted regulating principal for conduct or action in the form of a written order.

**Regulation-**: A rule or order having the force of law written and issued by an organization.

**Grievance-** A cause of distress felt to afford reason for complaint or resistance.

**Grievance Committee** - A group of individuals formed for the purpose of jointly considering, evaluating and, where possible, eliminating a grievance. Grievance committee members will only include 4-H leaders and/or 4-H volunteers.

**Adult 4-H Volunteer-** An adult over the age of eighteen (18) years of age, who is not a registered 4-H Alberta leader.

**Appellant-** Individual, group or organization in possession of a grievance.

**Appeal-** An application to a higher authority for corroboration, vindication or decision.

**Appeals Committee-** A group of individuals formed for the purpose of jointly considering, evaluating and judging the validity of a decision made by a Grievance Committee. An appeals committee will only include adult 4-H leaders and/or adult 4-H volunteers.

## **Justification**

- It is the intention of 4-H Council of Alberta with the support of the 4-H Alberta Branch to deal with grievances and associated appeals of those matters originating only in the Province of Alberta.
- Upon learning of an alleged violation or breach of rules and/or regulations, the person in charge (program director/event coordinator/leader/chairman, etc.) shall determine whether there was a violation or breach of the rules and regulations and impose such disciplinary measures and sanctions, as the event/council/project rules may deem appropriate. If the Appellant deems the action taken by the 'person in charge' insufficient, they may seek to file a formal grievance and enact the following process.

## **Requirements**

### **District Grievance Committee**

- Each 4-H Alberta district council shall elect or appoint, at such time as a grievance arises, a grievance committee composed of three (3) individual adult 4-H leaders and/or adult 4-H volunteers. The district Key Leader and an adult member of the district council executive should be considered for inclusion in a grievance committee. Alternates may also be elected or appointed.
- The district grievance committee will listen, consider and pass judgment on all grievances brought to them over the course of the 4-H year with respect to grievances involving club, invitational, interclub and district events. They will act with discretion and professionalism.
- In the event that specific technical information is required from an outside source, i.e. the grievance is of a specific technical nature outside the realm of experience or understanding of the grievance committee, the grievance committee shall have the right to appoint one (1) additional individual unrelated to the grievance to provide necessary information. The additional person will not be part of final deliberations, nor will they participate in the final decision of the grievance committee.
- Any member of a grievance committee that is, in whole or in part, involved with or related to a grievance that is brought before the committee must relinquish their authority and involvement with the process for that grievance. The district council will elect or appoint a suitable replacement for the consideration of that grievance alone.

### **Regional Appeals Committee**

- Each 4-H Alberta regional council shall elect or appoint, at such time as a grievance arises, a regional appeals committee composed of three (3) individual adult 4-H leaders and/or adult 4-H volunteers. Alternates may also be elected or appointed.
- No current member of a district grievance committee shall sit as a member of a regional appeals committee.
- The regional appeals committee will listen, consider and pass judgment on all appeals to decisions rendered by district grievance committees brought forward to the region.
- All conditions included with respect to district grievance committees above shall be the same for the regional appeals committee.
- In the event that a grievance is brought forward from a regional event, the regional appeals committee shall also act as the regional grievance committee to hear the grievance.

### **4-H Council of Alberta Appeals Committee**

- The 4-H Council of Alberta shall elect or appoint, at such time as a grievance arises, a committee of three (3) adult 4-H leaders and/or adult 4-H volunteers. These individuals do not have to be current members of the 4-H Council of Alberta.
- No current member of a district grievance committee, regional appeals or grievance committee shall sit as member of the 4-H Council of Alberta Appeals Committee.
- The 4-H Alberta Council Appeals Committee will listen, consider and pass judgment on all appeals to decisions rendered by regional appeals committees or regional grievance committees brought forward to the 4-H Council of Alberta Appeals Committee.
- All conditions included with respect to district and regional committees above shall be the same for the 4-H Council of Alberta Appeals Committee.
- In the event that a grievance is brought forward from a Provincial event, and there exists a volunteer-based organizational body for said Provincial event, this organizational body shall strike a grievance committee to hear any and all grievances that may be submitted. In the event of an appeal of the committee decision, the 4-H Council of Alberta Appeals Committee shall hear the grievance.

### **Grievance Procedure - Club, Interclub, District, Regional, Provincial Event**

- The appellant shall forward their grievance, in writing, to the district council chairman or key leader, within seven (7) days of the grievance. The grievance will also be copied to the 4-H Alberta Regional specialist.
- Upon receipt of a grievance, the district council president or key leader shall immediately contact the grievance committee chairman who will, in turn, contact fellow committee members within three (3) days and set up the opportunity to consider the grievance. The grievance hearing must take place within seven (7) days of the receipt of a grievance.
- The grievance committee chairman shall contact their 4-H Alberta Region specialist to inform them that the process has been enacted and with details of the process. If the grievance is with respect to a Provincial event, the 4-H specialist responsible for that event shall contact the 4-H Branch Head to inform her of the situation.
- With a date and time determined to hear the grievance, the committee shall contact all individuals involved with the grievance in order to facilitate a fair and complete hearing.
- The committee shall have at their discretion the ability to arrange specific times to hear individuals involved with the grievance, including the appellant, or to have everyone involved present for the duration of the hearing.
- The grievance committee shall render a decision, which may or may not include suggested or sanctioned discipline, within twenty-four (24) hours of the hearing. The decision will be submitted to all of the individuals involved in the grievance in person either verbally on the telephone or in written

form by fax or e-mail. The written decision shall also be delivered to the appellant by registered mail within ten (10) days of the hearing. The decision of the grievance committee shall be final and binding, unless it is appealed to the next level.

- In the event that not all members of the grievance committee are in agreement and refuse to sign the official written decision of the committee, the ‘majority rule’ shall be in effect and only two (2) of three (3) signatures will be acceptable.
- In the event the suggested or sanctioned discipline is not adhered to, the individual(s) will be excluded from all events at that level (i.e. club, district, regional, Provincial). Failure of the individual to adhere to the discipline will result in the family being excluded from the same events.

### **Appeals Procedure - Regional, Provincial**

- In the event that the appellant is not satisfied with the decision of the grievance committee, they shall forward their appeal, in writing, to the respective council president, within seven (7) days of receiving the grievance committee’s decision by registered mail.
- District grievance committee appeals shall be forwarded to the regional appeals committee. Regional and/or Provincial event grievance committee appeals shall be forwarded to the 4-H Council of Alberta Appeals Committee.
- If the appeal is to the regional committee, the appeal will also be copied to the region’s 4-H Alberta Regional specialist who will inform the 4-H Alberta Branch Head. If the appeal is to the 4-H Council of Alberta Appeals Committee, the 4-H Council of Alberta president shall inform the 4-H Alberta Branch Head.
- Upon receipt of an appeal, the respective council president shall immediately contact the appeals committee chairman who will, in turn, contact fellow committee members within three days and set up the opportunity to consider the grievance within ten (10) days.
- With a date and time determined to hear the appeal, the committee shall contact all individuals involved with the appeal in order to facilitate a fair and complete hearing.
- The committee may, at their discretion, arrange specific times to hear individuals involved, including the appellant, separately, or to have everyone involved present for the duration of the hearing. The hearing will be conducted either in person or via teleconference technology.
- The appeals committee shall render a decision, which may or may not include suggested or sanctioned discipline, within twenty-four (24) hours of the hearing. The decision will be submitted to all of the

individuals involved with the issue in person either verbally on the telephone or in written form by fax or e-mail. The written decision shall also be delivered to the appellant by registered mail within ten (10) days of the hearing.

- In the event that not all members of the appeals committee are in agreement and refuse to sign the official written decision of the committee, the ‘majority rule’ shall be in effect and only two (2) of three (3) signatures are needed at the regional level and at the Provincial level.
- If the regional appeals committee conducts the hearing, the appellant may further appeal the decision to the 4-H Council of Alberta Appeals Committee. When the 4-H Council of Alberta Appeals Committee passes judgment, there is no further appeal process, and the decision is **absolute**.

## **Notice of Appeal**

- All appeals originating from club, district or regional venues shall be initiated in a written “Notice of Appeal” addressed to the appropriate region’s 4-H specialist and regional 4-H council president. Appeals originating from a Provincial venue shall be initiated in a written “Notice of Appeal” addressed to the 4-H Alberta Branch Head and the president of the 4-H Council of Alberta.
- The “Notice of Appeal” must be filed within seven (7) days of the date of the decision or ruling being appealed.
- The “Notice of Appeal” may be filed by ordinary mail, courier, fax or e-mail.
- It is the responsibility of the appellant to ensure that the “Notice of Appeal” has been received.

## **Contents of “Notice of Appeal”**

### **A “Notice of Appeal” must contain:**

- A statement of the decision, which is being appealed, which includes a copy of the written decision.
- Concise statements of the grounds for appeal in numbered paragraphs.
- Concise statements of the facts, in numbered paragraphs, alleged by the appellant.
- Appeal fee.

## **Fees**

- The district grievance committee fee is one hundred twenty five dollars (\$125.00).
- The regional grievance committee, Provincial event grievance committee and regional appeals committee fee is two hundred fifty dollars (\$250.00).
- The 4-H Council of Alberta Appeals Committee fee is five hundred dollars. (\$500.00)

- All grievance and appeal fees must be paid by certified cheque or money order payable to the level of the organization to which they are appealing, for example, district, regional or 4-H Council of Alberta.
- If the appeal is successful at any level, 50% of the fee will be refunded.
  - ❖ The fee structure is designed to cover the out of pocket costs incurred by the grievance and/or appeals committee. The appropriate level of the organization to which the grievance/appeal has been brought may pay committee members for out of pocket expenses.

## **Court Actions**

- All 4-H members, clubs, leaders, volunteers, parents, committees, by virtue and because of their status as such, agree that any recourse to the law courts of any jurisdiction before all rights and remedies as provided by these procedures of 4-H Council of Alberta have been availed and utilized, shall be prohibited.
- Further, any such recourse to the law courts as aforesaid shall be deemed by the 4-H Council of Alberta to be inappropriate behavior, enabling the president of the 4-H Council of Alberta to recommend to the 4-H Alberta Branch Head to suspend and/or disqualify the said persons.