

## **BY-LAWS - ELLIOT LAKE GRANITE CLUB**

Be it enacted as a by-law of the Elliot Lake Granite Club as follows.

### **Head Office**

1. The head office of the Corporation shall be located in the city of Elliot Lake, in the District of Algoma, in the Province of Ontario, and at such place therein as the Board may from time to time determine. The Elliot Lake Granite Club will be known as the Deer Trail Curling Club and that name would only be used to promote our club in all its functions as a marketing tool and will not affect the incorporation name in any way. The Deer Trail Curling Club will be owned and operated by the Elliot Lake Granite Club. The color scheme of the club would be Royal Blue, Red, Grey and White. The deer head would be incorporated as the logo. Passed April 21<sup>st</sup>, 1999.

### **Seal**

2. The seal, an impression whereof is stamped in the margin hereof shall be the corporate seal of the Corporation.

### **Board of Directors**

3. Section A- The affairs of the Corporation shall be managed by eleven members of the Board of Directors, each of whom at the time of his/her election and throughout his/her term of office shall be a member of the Corporation. Each Director shall be elected to hold office for a one year period commencing on June 1<sup>st</sup> and continuing until May 31<sup>st</sup> of the following year or until his/her successor has been duly elected and qualified. The Board of Directors shall be formed of the following members- President, Secretary, Treasurer and seven Directors, all of whom will be elected at the Annual Spring General Membership Meeting. The Past President or the Past Chairman will also be a board member.  
Section B- At the first meeting of the new Board, they shall elect amongst themselves a Board Chairperson whose duty will be to call and chair all Board meetings in the coming year. The Board Chairperson will also assign

the Directors their specific areas of responsibility. In the absence of the Board Chairperson, the President may exercise his/her duties and powers. Section C- The Corporation may by resolution passed by at least two thirds of the votes cast at a General Membership Meeting, of which notice specifying the intention to pass a resolution has been given, remove any Board member before the expiration of his/her term of office and may by majority of votes cast at that meeting or subsequent meeting elect any qualified member to complete the remainder of the said term.

#### **Vacancies, Board of Directors**

4. Vacancies on the board of Directors, however caused, may so long as a quorum of directors remain in office, be filled by the directors from among the qualified members of the Corporation, if they shall see fit to do so, otherwise such vacancy shall be filled at the next general membership meeting.

#### **Quorum and Meetings, Board of Directors**

5. A majority of directors, six, shall form a quorum for the transaction of business. Except as otherwise required by law, the Board of Directors may hold its meetings at such place or places as it may from time to time determine. Every reasonable effort will be made to inform the directors in advance of such meeting.

#### **Voting Board of Directors**

6. Decisions made at any meeting of the Directors shall be decided by a majority of votes. Each Director, except the chairperson, shall have one vote. In case of an equality of votes, the chairperson shall cast the deciding vote. All votes at such a meeting shall be taken by ballot if so demanded by any Director present, but if no demand were made, the vote shall be taken in the usual way by for or against.

## **Powers**

7. The Directors of the Corporation may administer the affairs for the Corporation in all things and make any kind of contract, which the Corporation may legally enter into, and exercise all such other powers as the Corporation is authorized to do. Without in any way derogating from the foregoing, the Directors are expressly empowered to purchase, acquire, alienate, sell or exchange securities, lands, buildings and or other property owned by the Corporation.

## **Remuneration, Board of Directors**

8. The Directors shall receive no remuneration for acting as such.

## **Duties of President**

9. The President shall, in the absence of the Board Chairperson, preside at all meetings of the membership and Board of Directors. The President shall also be charged with the general management and supervision of the affairs and operations of the Corporation. During the President's absence, another director who may be authorized to do so may exercise his/her duties and powers.

## **Duties of Secretary**

10. The Secretary shall attend all meetings of the Board and Membership meetings. He/she shall record all facts and minutes of those meetings in the books and computer kept for that purpose. The secretary shall be the custodian of the seal of the Corporation and all the minutes, papers, records, correspondence, contracts and other documents of the Corporation. He/she shall deliver the above when authorized to do so and shall perform such other duties as be determined by the Board of Directors.

## **Duties of Treasurer**

11. The treasurer, or another member acting on his/her behalf, shall keep full and accurate accounts of all receipts and disbursements of the Corporation

in proper books of account. He/she shall deposit all monies or other valuable effects in the name and to the credit of the Corporation in such bank as the Board may designate. He/she shall oversee the disbursement of these funds under the direction of the Directors, taking proper vouchers thereof and shall render an account of his/her transactions when required by the Board to do so. He/she shall perform such other duties that may be determined by the Board.

## **Directors, Duties**

12. Director #1 shall attend all Board and Member meetings. He/she will be the contact person for problems related to building, its contents, except for the ice and plant, and the land. He will also perform other duties as may be assigned to him/her by the board.

Director #2 shall attend all Board and Member meetings. He/she will be the contact person for the operation of the Bar, Catering, Club Bookings and Summer Operations. He/she shall perform other duties that may be determined by the Board.

Director #3 shall attend all Board and Member meetings. He/she will be the contact person for the operations of Bonspiels, League play and curling association. He/she will also perform other duties that may be determined by the Board.

Director #4 shall attend all Board and Member meetings. He/she will be the contact person for the operation of the Ice and Plant. He/she will perform other duties as may be determined by the Board.

Director #5 shall attend all Board and Member meetings. He/she will be the contact person for Membership, Volunteer Hours and Club Promotions. He/she will perform other duties that may be determined by the Board.

Director #6 shall attend all Board and Member meetings. He/she will be the contact person for Advertising, Sign Rentals, and Fundraising.

## **Execution of Documents**

13. Deeds, transfers, licenses, contracts and engagements on behalf of the Corporation shall be signed by either the President or Chairperson and by the Secretary and the Secretary shall affix the seal of the Corporation to such instruments as require the same.

The President, Chairperson, Treasurer or any person authorized by the directors may enter into contracts in the course of the Corporation's operation on behalf of the Corporation.

The President, Chairperson, Secretary or Treasurer, or any one of them, or any person or persons from time to time designated by the directors may transfer any and all shares of stock, bonds or other securities from time to time standing in the name of the Corporation in its individual or other capacity or as trustee or otherwise and may accept in the name and on behalf of the Corporation transfers of shares of stock, bonds, or other securities from time to time transferred to the Corporation, and may affix the corporate seal to any such transfers or acceptances, and may make, execute and deliver under the corporate seal any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares of stock, bonds or other securities on the books of any company or corporation. Notwithstanding any provisions to the contrary contained in the bylaws of the Corporation, the Board of Directors may at any time by resolution direct the manner in which, and the person or persons by whom, any particular instrument, contract or obligations of the Corporation may or shall be executed.

## **Books and Records**

14. The Directors shall see that all necessary books and records of the Corporation required by the By-laws of the Corporation or by any applicable statute or law are regularly and properly kept.

## Membership

15. Charter Members- Those who were members when the club was incorporated. They have no voting or curling privileges.

Regular Members- These members are entitled to notice of meetings, have voting rights at member meetings, pay annual membership dues as passed by the General Membership, have curling privileges and voluntary work hour obligations.

Associate Members- (a) Regular non-curling. These members are entitled to notice of meetings, have voting privileges, pay annual membership dues as passed by the General Membership, have no curling privileges and no voluntary work hour obligations.

(b) Patrons of the Elliot Lake Granite Club. Members of the Corporation who in return for their \$100.00 donation have been designated as having lifetime associate memberships. They shall not be entitled to notice of meetings, not entitled to vote, not have to pay any further fees or dues and do not have to do any voluntary work hours.

(c) Designated Associate Members. These are elected by a unanimous vote of the Board of Directors. These members pay no dues, are entitled to notice of meetings, can hold office or other club positions, and have voting privileges, pay no dues and do not have any volunteer work hours. This privilege lasts for a time period determined by the board of Directors.

Honorary Members- These members are designated by the Board of Directors and pay no fees, do not have voting privileges at member meetings and have no voluntary work hours.

Members may resign by resignation in writing which shall be effective upon acceptance thereof by the Board of Directors. In case of resignation, a member shall remain liable for payment of any assessment or other sum levied or which became payable by him/her prior to the acceptance of said resignation.

## **Dues**

16. There shall be no fees or dues payable by the members except as fixed by the membership and confirmed by a majority vote at the Spring General Membership Meeting or special membership meeting.

## **Annual and Special Meeting of Members**

17. The annual or any special general meeting of the members shall be held at the head office of the Corporation or elsewhere in Ontario as the Board may determine and on such day as the said Board shall appoint. The agenda of the Spring General Membership Meeting will include a report of the Board of Directors, a financial statement, election of directors and such other business that may be allowed by the Chairperson of the Board. The Board of Directors, the President or Chairperson shall have the power to call at any time a special General Meeting of the members of the Corporation. Notice of such a meeting will be by advertising in the club, by telephone or other means as decided by the Board of Directors.

## **Quorum of Members**

18. A quorum for the transaction of business at any meeting of the members shall consist of not less than three members.

## **Voting of Members**

19. Each member of the Corporation, except the chairperson, shall at all meetings of the members be entitled to one vote provided that he/she has paid all dues or fees outstanding. A simple majority will decide each issue except as provided in bylaw #3, section C. In case of equality of votes, the chairperson shall cast a vote. All voting will be by show of hands unless a secret ballot is requested.

## **Financial Year**

20. The fiscal year of the Corporation shall terminate of the 31<sup>st</sup> of day of May.

## **Cheques, etc.**

21. All cheques issued by the Elliot Lake Granite Club shall bear two signatures. For the General Account they can be the Treasurer's, the President's, the Chairperson of the Board, or the designated bookkeeper. For the Junior Trust Account, the signing officers are the designated bookkeeper and to avoid any conflict of interest, a member of the Elliot Lake Granite Club who does not coach junior teams.

## **Deposit of Securities for Safekeeping**

22. The securities of the Corporation shall be deposited for safekeeping with one or more bankers, trust companies, or other financial institutions to be selected by the Board of Directors. Any or all securities may be withdrawn from time to time, only upon written order of the Corporation and signed by such officer or officers as determined by the Board of Directors. Such authority may be general or confined to specific instances. The institutions that may be so selected as custodians by the Board of Directors shall be fully protected in acting in accordance with the directions of the Board of Directors and shall in no event be held liable of the securities so withdrawn from deposit.

## **Borrowing**

23. The Directors may from time to time,
  - (a) Borrow money on the credit of the corporation, or
  - (b) Issue, sell, or pledge securities of the Corporation, or
  - (c) Charge, mortgage or pledge all of any real or personal property of the Corporation, to secure any securities of any money borrowed, or debt, obligation or liability of the Corporation. Any of the above transactions must however have the approval of the majority of the membership of the Corporation present at a General Membership meeting.
  - (d) The Board of Directors may authorize any member to make arrangements to borrow such funds and to vary or modify the terms and conditions of that loan.



## **Dissolution or Insolvency**

24. Whereas the Elliot Granite Club is a not for profit organization and whereas the Board of Directors will to everything in its legislated power to ensure an ongoing operation, now be it solved that, should the Elliot Lake Granite Club fall into a situation where it cannot meet its financial commitments and it is clear that the Elliot Lake Granite Club will be unable to bring resolution to this situation, that the Board of Directors commence to “wind down” procedures. The “wind down” process would see all of the assets of the Elliot Lake Granite Club turned over to a registered charity or nonprofit organization of all the assets of the Elliot Lake Granite Club sold and the proceeds turned over to a or several charities or a nonprofit organization or organizations. The complete process of the “wind down” will be at the direction of the Board of Directors. Passed by a meeting of the Board of Directors, October 24, 2001.

## **Sex Offenders**

25. The policy of the Elliot Lake Granite Club is to preclude any known and unpardonable convicted sex offender from being a member of, or participating in any of its activities. Further, any adult who wishes to manage or supervise junior or little rock curlers must submit voluntarily to a criminal record/background search. Whereas the Elliot Lake Granite Club wishes to ensure, to the best of its ability, the safety of its junior curlers, be it resolved that, there be no fewer than two adults, one of which will be a designate, be present whenever a junior curling program is being held, and that the minimum number of adults shall remain until such time as all minors have left the facility. All adults must be designated by the executive committee of junior curlers, on behalf of the Elliot Lake Granite Club and are subject to its policies.

## **Smoking**

26. Smoking is not allowed anywhere in the curling club facility or within three meters of the building. This also includes any vaping of electronic cigarettes.

## **By Laws and Amendments**

27. Any proposed changes to the club's bylaws must be given in writing to the secretary no later than thirty (30) days prior to the Spring General Membership meeting. The secretary will post the proposed changes on the bulletin board no later than twenty-one (21) days prior to the spring meeting.

## **Harassment Policy**

28. See Appendix A.

## **Appendix A**

### **By Law # 28**

#### **Harassment Policy**

##### **Policy Statement:**

1. It is the policy of the Elliot Lake Granite Club that every member of the Elliot Lake Granite Club and every volunteer of the Elliot Lake Granite Club can expect to be afforded a sport and social environment free from harassment and to be treated with respect and dignity. The Elliot Lake Granite Club is committed to providing a quality sport and social experience for all its members and volunteers. The Elliot Lake Granite Club does not tolerate any form of harassment, meaning there is zero tolerance for harassment. Also, the Elliot Lake Granite Club will not accept a hostile atmosphere. This may be defined as an atmosphere of tolerance for behavior, language, or treatment of individuals which undermines their personal power, creates personal discomfort, or jeopardizes their career aspirations. The Elliot Lake Granite Club will act quickly on any complaint of harassment with the goal of resolving the situation fairly and preventing future occurrences.
2. This policy applies to all members and volunteers of the Elliot Lake Granite Club. It is directed towards the protection of members and volunteers from harassment which may occur:
  - during the course of the Elliot Lake Granite Club business and events;
  - or
  - outside such business and events where there may be repercussions in the sport or social environment adversely affecting members or volunteers and the Elliot Lake Granite Club relationships. The Elliot Lake Granite Club encourages the reporting of all incidents of harassment regardless of who the offender may be.
3. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from anyone he/she chooses even when steps are being taken under this policy.

**Goals of this policy:**

- to resolve a situation fairly and in a timely manner
- to prevent any further harassment
- to eliminate harm to the complainant
- to reduce liability of the organization and its Directors, members and volunteers through responsible policies, procedures and implementation strategies
- to educate organization members and volunteers about harassment

**Acceptable Behavior**

Acceptable behavior at the Elliot Lake Granite Club is behavior that conforms to the “Curler’s Code of Ethics”, an official supplement to the rules of curling adopted by the Canadian Curling Association. By signing your application form, you agree to abide by everything stated in the Code of Ethics.

**Curler’s Code of Ethics**

- I will play the game with a spirit of good sportsmanship.
- I will conduct myself in an honorable manner both on and off the ice.
- I will never knowingly break a rule, but if I do, I will divulge the breach.
- I will take no action that could be interpreted as an attempt to intimidate or demean my opponents, teammates, club members, volunteers or officials.
- I will interpret the rules in an impartial manner, always keeping in mind that the purpose of the rules is to ensure that the game is played in an orderly and fair manner.

-I will humbly accept any penalty that the governing body at any level of curling deems appropriate, if I am found in violation of the code of ethics or rules of the game.

### **Harassment and Unacceptable Behavior**

Harassment is defined as “a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.” (Workplace Discrimination & Harassment Prevention Policy, Province of Ontario, June 1, 1998)

Interpretation from “A Guide to Human Rights Code”, 1981: “harassment is a course of comment or conduct consisting of words or actions that disparage or cause humiliation to a person in relation to one of the prohibited grounds”.

Types of behavior that constitute harassment include but are not limited to:

- written or verbal abuse or threats
- display of visual material which is offensive or which can reasonably be presumed to be offensive
- unwelcome remarks, jokes, comments, innuendo, or taunting about a person’s looks, body, attire, age, race, religion, gender, or sexual orientation
- leering or suggestive obscene gestures
- Condescending, paternalistic or patronizing behavior which undermines self esteem, diminishes performance or adversely affects working conditions
- practical jokes which cause embarrassment, endanger safety or have a negative effect on performance
- unwanted physical contact

-unwanted sexual flirtation, advances, requests, demands

-physical or sexual assault

**General Responsibility:**

All parties involved (members, volunteers, Board of Directors, participants in Elliot Lake Granite Club events, complainant(s), investigating officer(s), alleged person(s) who harassed (respondent), outside parties and any other party privy to a harassment case) are bound to maintain confidentiality throughout all stages of the investigation process. The privacy and reputation of all parties is protected.

The Board of Directors shall appoint a Harassment Officer whose duties include:

-initiation of regular review of this Harassment Policy to ensure the inclusion of the latest initiatives of the Province of Ontario and the Canadian Human Rights Commissions

-establish a central registry to log all incidents of harassment to be kept in a confidential state

-as soon as possible but in any event within thirty (30) days of receipt of the complaint, file a report with the President and the Chairman of the Board of the Elliot Lake Granite Club, setting out all of the information obtained and copies of all documentation filed by both parties and recommending that:

-no further action be taken because of a settlement reached; or

-a formal hearing process be initiated

A copy of the report shall go to the complainant and the respondent.

Individuals are encouraged to report incidents of harassment. Individuals are also encouraged, where possible, to tell alleged offenders about unwelcome conduct or actions perceived to be harassment. While

members or volunteers cannot be required to report experiences of harassment, such a report should be initiated as quickly as possible.

Initially, a complaint must be given, in writing, to any member of the Board of Directors. That Director will forward the complaint to the President or Chairman of the Board who will in turn forward the complaint to the Harassment Officer to resolve the complaint. Complaints will be addressed in a sensitive, responsible and timely manner.

The filing of a complaint of harassment is the right of each person involved in curling activities and must be exercised without fear of reprisal or threat thereof. It is further understood that the filing of a complaint shall not in and of itself constitute sufficient grounds for disciplinary action. In addition, the mere fact that complaint has been filed against an individual shall not, in and of itself constitute grounds for disciplinary action against that individual.

The Harassment Officer shall be appointed by the Board of Directors of the Elliot Lake Granite Club. The Harassment Officer shall be professionally trained to resolve complaints of harassment. This person will meet with the complainant and the respondent and based on findings of fact, recommend a course of action as outlined above to the President and the Chairman of the Board. The Harassment Officer may also be involved in a full investigation if one is required. That being said, should the Board of Directors not be able to find an individual with these exact qualifications at a moment's notice, the Board of Directors shall appoint a person, who in the Board's opinion has the maturity, listening and reasoning skills and intelligence to carry out the processing of a harassment complaint in a sensitive, reasonable and timely manner. The person would meet the complainant and respondent, and then report to the President and Chairman of the Board with recommended course of action.

## **Sanctions Resulting from a Formal Hearing**

Once the report and recommendations from the Harassment Officer has been received by the President and Chairman of the Board, the Chairman will convene a formal hearing at the earliest possible date, and not more than sixty (60) days from receipt of the report. The formal hearing process is to determine sanctions, if any, that should be imposed on the individual(s) in violation of the Elliot Lake Granite Club's harassment policy and extends only to the jurisdiction agreed to by the individual(s) sanctioned, when they signed the membership application form. If the sanctioned individual(s) is a nonmember volunteer of the Elliot Lake Granite Club, the sanction is the prevention of the individual(s) from trespassing on any property owned by the Elliot Lake Granite Club.

Sanctions may include but not limited to:

- a) the issuance of a warning and/or reprimand: or
- b) the imposition of such temporary or permanent conditions on continued membership with the Elliot Lake Granite Club, or participation in the Elliot Lake Curling Club activities the Board of Directors of the Elliot Lake Granite Club may view as appropriate in the circumstances; or
- c) temporary or permanent suspension from membership with the Elliot Lake Granite Club, or the temporary or permanent suspension from participation in some or all competitions or activities over which the Elliot Lake Granite Club has jurisdiction.

The Board of Directors may also impose sanctions on the complainant if the complaint was found to be frivolous, vexatious, or vindictive. These sanctions would be made based on the Board of Directors' opinion of the negative impact on the Elliot Lake Granite Club and its member(s) of such a frivolous, vexatious or vindictive complaint.

## **Confidentiality**

To the extent possible, reports, complaints, witness statements and other documents produced under these procedures shall be held in



confidence by the Elliot Lake Granite Club. However, no absolute guarantees of confidentiality may be made by the Elliot Lake Granite Club. Circumstances in which information may be shared include:

- a) when criminal conduct may be involved;
- b) when child abuse may have occurred;
- c) when it is felt to be necessary to protect others from harassment or discrimination;
- d) when required to ensure fairness or natural justice in the procedures contemplated by these guidelines;
- e) in the course of an investigation by a law enforcement agency
- f) to protect the interests of the Elliot Lake Granite Club
- g) when required by law

It should be noted that the “**ELLIOT LAKE GRANITE CLUB**” has been operating as (O/A) the “**ELLIOT LAKE DEER TRAIL CURLING CLUB**” for a number of years. It is our club’s contribution to a regional marketing program to identify our area as part of the “Deer Trail”, a circle tour route that leaves highway 17 at the Elliot Lake turn off, goes through the outskirts of Elliot Lake and rejoins highway 17 at Iron Bridge. For purposes of this policy and any other legal document pertaining to the **ELLIOT LAKE GRANITE CLUB** or the **DEER TRAIL CURLING CLUB**, the Board of Directors condones the use of **ELLIOT LAKE GRANITE CLUB** as well as the **DEER TRAIL CURLING CLUB** and states that the **ELLIOT LAKE GRANITE CLUB** and the **ELLIOT LAKE DEER TRAIL CURLING CLUB** are in fact, one and the same.