

2022 HOUSEKEEPING FOR 2023 P.W.S.A. BY-LAWS & OPERATING RULES

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by PWSA Motion # HK1

Moved by Johanna Malisani Seconded by Cathy Bilinski

REFERENCE: (Section, article, number, page, etc.)

Housekeeping for the 2023 By-Laws & Operating Rules book

WHEREAS (Article as currently written)

Throughout the By-Laws & Operating Rules book

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

Following are housekeeping items that will be inserted into the 2023 P.W.S.A. By-Laws & Operating Rules book using Article 3 Governance 3.2 Powers of the Board page 22 of the 2022 P.W.S.A. By-Laws & Operating Rules book (online)

1. All places in our By-Laws & Operating Rules book that reference the Affiliation deadline for U23 Women's, Intermediate II Women's and Masters Rec to May 22nd.
2. All places in our By-Laws & Operating Rules book that reference the Signing deadline for U23 Women's, Intermediate II Women's and Masters Rec to June 7th.
3. All places in the By-Laws & Operating Rules that reference the certificate/ affiliation beginning Oct 1 and ending Sept 30th to change to Jan 1 to Dec 31.
4. All places that reference insurance in the USA is Accident only to insurance in the USA is Liability only.
5. All places that reference members and sanctioned tournaments to simply Members' Tournaments.

RATIONALE

Housekeeping

FINANCIAL IMPLICATIONS

None

FINAL RECOMMENDATIONS:

Carried Amended Withdrawn Defeated

NOTICE OF 2023 MOTIONS

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by PWSA

Motion #BL1

Moved by Debbie Malisani

Seconded by Lynda Turton

REFERENCE: (Section, article, number, page, etc.)

Governance, Article 3, 3.4 a), page 23 online

WHEREAS (Article as currently written)

3.4 Election of Directors –

a) Election and Term - The eleven (11) Elected Directors will be elected for a 3-year (3 people), 2-year (4 people), or 1-year (4 people) term at the Annual General Meeting of members to hold office until the close of the Annual General Meeting at the end of their term. The election shall be by ballot. No acclamation – Directors must be elected by simple majority to move the Ordinary Resolution.

b) Nominations - Each Individual Member, Association Member, or Director may propose nominees for election to the Board of Directors. Such nominees must be submitted to the P.W.S.A. Nominating Chairperson no later than 30 days in advance of the Annual General Meeting. Written consent by the nominees must be received at time of nomination.

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

Revision to a)

Seven (7) elected directors will be elected for a 3-year (3 people), 2-year (3 people), or 1-year (1 person) term

Would now read

3.4 Election of Directors –

a) Election and Term – The seven (7) Elected Directors will be elected for a 3-year (3 people), 2-year (3 people), or 1-year (1 person) term at the Annual General Meeting of members to hold office until the close of the Annual General Meeting at the end of their term. The election shall be by ballot. No acclamation – Directors must be elected by simple majority to move the Ordinary Resolution.

RATIONALE

To have a board of 7 as recommended by our legal team at Sport and Law

FINANCIAL IMPLICATIONS

None

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by **PWSA**

Motion #OR1

Moved by Jo Malisani **Seconded by Lynda Turton**

REFERENCE: (Section, article, number, page, etc.)

Affiliations and Regulations, Article 1, R1.06 page 33 (online)

WHEREAS (Article as currently written)

R1.06 Coaches and Managers - Managers and Coaches must be signed on the Team Registration Certificate for each team they are affiliated with (i.e. Coaches and Managers participating for more than one team must be signed on each team's contract, but may only register on one Team Registration Certificate per Division). Additional Managers and/or Coaches may register through the Divisional Coordinator or representative at a fee set annually by the Board of Directors and must sign a release of liability waiver form as against the Association. Only registered Managers, Coaches, Players and Team Personnel are allowed on the coaching lines and bench areas in all Divisions.

All participating teams must have the following minimum NCCP Softball Certification as follows:

U9/U11: Head Coach: NCCP Learn To Coach Trained or Weekend #1; Assistant Coach(es): NCCP Learn To Coach Trained or Weekend #1 and must complete Foundations of Coaching Softball - Part I and/or Part II

U13: Head Coach: NCCP Community Softball Coach Trained or Weekend #1; Assistant Coach(es): NCCP Community Softball Coach Trained or Weekend #1 and must complete Foundations of Coaching Softball - Part I and/or Part II

All Others: U15, U17, U19 II, Intermediate II, and Masters Rec: Head Coach: NCCP Competition-Introduction, Softball Certified; Assistant Coaches: Competition-Introduction, Softball Trained.

U19 I, U23 Women's and Women's: Head Coach: NCCP Competition-Introduction, Softball Certified; Assistant Coaches: NCCP Competition-Introduction, Softball Trained

Definitions of terms used for P.W.S.A.: Trained This means a Coach has attended a portion of requirements. For example - a Coach has attended Weekend #1 and Weekend #2 of Competition-Introduction, Softball and completed the Make Ethical Decision On Line Evaluation - their status is "Trained".

Certified This means a Coach has attended and completed all of the requirements, including the On Field Evaluation. For example, a Coach has attended Weekend #1, Weekend #2 of Competition-Introduction, Softball; has completed the Make Ethical Decision On Line Evaluation and had an On Field Evaluation completed (Weekend #3) - their status is "Certified".

It is the Coaches responsibility to provide proof of Certification if required to do so. This applies especially to new Coaches or if there is any upgrade in their Coach education. Copy of Clinic Certificate or NCCP transcript (in the Locker) – U9/U11 and U13; NCCP passport or NCCP transcript (for all others) as required.

- (a) At a Provincial Tournament, participating teams without a properly Certified Coach on the bench, will be fined \$100.00 per game. Exception: Should a properly certified coach be ejected from a game and is the only properly certified coach registered with that team, the \$100.00 fine will not be levied. If ejected from the entire tournament, the \$100.00 fine per game will be levied, until the team has a properly certified coach on the bench.
- (b) Coaches MAY be granted an exemption ONE TIME ONLY, upon written application to their Divisional Coordinator.

NOTE: Teams participating in Canadian Championships, Canada Summer Games and/or Ontario Summer Games are required to have NCCP Certified Coaches as prescribed by Softball Canada and/or the Government of Ontario. All coaches/managers, in order to coach in the Provincial Women's Softball Association, must have taken the Respect in Sport course for Activity Leader-Coach.

Coaches'/Managers' certification numbers from the program must be provided to the Divisional Coordinator before official team registration certificate will be approved.

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

Revision to All Others

All Others: U15, U17, U19 II: Head Coach: NCCP Competition-Introduction, Softball Certified; Assistant Coaches: Competition-Introduction, Softball Trained.

Intermediate II, and Masters Rec: Head Coach: NCCP Competition-Introduction, Softball Certified, Assistant Coaches: Foundations of Coaching Part 1 and Part II (online)

Would then read:

R1.06 Coaches and Managers - Managers and Coaches must be signed on the Team Registration Certificate for each team they are affiliated with (i.e. Coaches and Managers participating for more than one team must be signed on each team's contract, but may only register on one Team Registration Certificate per Division). Additional Managers and/or Coaches may register through the Divisional Coordinator or representative at a fee set annually by the Board of Directors and must sign a release of liability waiver form as against the Association. Only registered Managers, Coaches, Players and Team Personnel are allowed on the coaching lines and bench areas in all Divisions.

All participating teams must have the following minimum NCCP Softball Certification as follows:

U9/U11: Head Coach: NCCP Learn To Coach Trained or Weekend #1; Assistant Coach(es): NCCP Learn To Coach Trained or Weekend #1 and must complete Foundations of Coaching Softball - Part I and/or Part II

U13: Head Coach: NCCP Community Softball Coach Trained or Weekend #1; Assistant Coach(es): NCCP Community Softball Coach Trained or Weekend #1 and must complete Foundations of Coaching Softball - Part I and/or Part II

All Others: U15, U17, U19 II: Head Coach: NCCP Competition-Introduction, Softball Certified; Assistant Coaches: Competition-Introduction, Softball Trained.

Intermediate II, and Masters Rec: Head Coach: NCCP Competition-Introduction, Softball Certified, Assistant Coaches: Foundations of Coaching Part 1 and Part II (online)

U19 I, U23 Women's and Women's: Head Coach: NCCP Competition-Introduction, Softball Certified; Assistant Coaches: NCCP Competition-Introduction, Softball Trained

Definitions of terms used for P.W.S.A.: Trained This means a Coach has attended a portion of requirements. For example - a Coach has attended Weekend #1 and Weekend #2 of Competition-Introduction, Softball and completed the Make Ethical Decision On Line Evaluation - their status is "Trained".

Certified This means a Coach has attended and completed all of the requirements, including the On Field Evaluation. For example, a Coach has attended Weekend #1, Weekend #2 of Competition-Introduction, Softball; has completed the Make Ethical Decision On Line Evaluation and had an On Field Evaluation completed (Weekend #3) - their status is "Certified".

It is the Coaches responsibility to provide proof of Certification if required to do so. This applies especially to new Coaches or if there is any upgrade in their Coach education. Copy of Clinic Certificate or NCCP transcript (in the Locker) – U9/U11 and U13; NCCP passport or NCCP transcript (for all others) as required.

- (c) At a Provincial Tournament, participating teams without a properly Certified Coach on the bench, will be fined \$100.00 per game. Exception: Should a properly certified coach be ejected from a game and is the only properly certified coach registered with that team, the \$100.00 fine will not be levied. If ejected from the entire tournament, the \$100.00 fine per game will be levied, until the team has a properly certified coach on the bench.

(d) Coaches MAY be granted an exemption ONE TIME ONLY, upon written application to their Divisional Coordinator.

NOTE: Teams participating in Canadian Championships, Canada Summer Games and/or Ontario Summer Games are required to have NCCP Certified Coaches as prescribed by Softball Canada and/or the Government of Ontario. All coaches/managers, in order to coach in the Provincial Women's Softball Association, must have taken the Respect in Sport course for Activity Leader-Coach. Coaches'/Managers' certification numbers from the program must be provided to the Divisional Coordinator before official team registration certificate will be approved.

RATIONALE

As athletes grow older and start playing in adult categories its difficult to find one certified coach and often the assistant coaches are players. Flexibility will assist in encouraging older teams to participate

FINANCIAL IMPLICATIONS

none

FINAL RECOMMENDATIONS:

X Carried Amended Withdrawn Defeated

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by

Motion #OR2

Moved by Shelly Rooney

Seconded by Anthony Scigliano

REFERENCE: (Section, article, number, page, etc.)

R1.06 Coaches and Managers

WHEREAS (Article as currently written)

Managers and Coaches must be signed on the Team Registration Certificate for each team they are affiliated with (i.e. Coaches and Managers participating for more than one team must be signed on each team's contract, but may only register on one Team Registration Certificate per Division). Additional Managers and/or Coaches may register through the Divisional Coordinator or representative at a fee set annually by the Board of Directors and must sign a release of liability waiver form as against the Association. Only registered Managers, Coaches, - 33 - Players and Team Personnel are allowed on the coaching lines and bench areas in all Divisions. All participating teams must have the following minimum NCCP Softball Certification as follows:

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

R1.06 **Addition**

Any person, listed as a Coach, Assistant Coach or Manager on any Team’s Registration Certificate may not be operating as a for profit softball skills instructor, within the province of Ontario.

Would read as: Managers and Coaches must be signed on the Team Registration Certificate for each team they are affiliated with (i.e. Coaches and Managers participating for more than one team must be signed on each team's contract, but may only register on one Team Registration Certificate per Division). Any person, listed as a Coach, Assistant Coach or Manager on any Team’s Registration Certificate may not be operating as a for profit softball skills instructor, within the province of Ontario. Additional Managers and/or Coaches may register through the Divisional Coordinator or representative at a fee set annually by the Board of Directors and must sign a release of liability waiver form as against the Association. Only registered Managers, Coaches, - 33 - Players and Team Personnel are allowed on the coaching lines and bench areas in all Divisions. All participating teams must have the following minimum NCCP Softball Certification as follows:

RATIONALE

This condition will eliminate conflicts of interest, real or perceived, between paid skills instructors and the teams their students are playing with and their Associations. This will reduce the number of complaints received by the PWSA regarding these conflicts of interest, tampering and interference.

FINANCIAL IMPLICATIONS

None

FINAL RECOMMENDATIONS:

Amendment to main motion

Any paid trainers that coach a team cannot take players, from other associations, they train onto their team.

Moved by Tyson Levac, Seconded by Anthony Scigliano.

Amendment to the main motion carried.

Main Motion as Amended carried.

Carried Amended Withdrawn Defeated

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by Chris Faulhafer

Motion #OR3

Moved by Chris Faulhafer Seconded by ___ Chris Meyer _____

REFERENCE: (Section, article, number, page, etc.) R1.12 Page #35

WHEREAS (Article as currently written)

a) Club team tryouts or player evaluations in the U9 thru U19 divisions cannot commence before Labour Day....

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

Addition> Tier 1 tryouts from U15 thru U19 can commence on Labour Day and continue for 3 additional days. On the Thursday following Labour Day Tier 1 teams must be required to have, at minimum, made their first round of cuts and have their 'tryout roster' down to 15 players maximum and on that said Thursday Tier 2 tryouts may now begin, but not before.

RATIONALE

A lot of drama and stress these past few weeks with new teams popping up, players changing centres and tryouts/teams being held in limbo waiting for Tier 1 teams to make cuts and seeing where players may land, and in some instances teams ended up folding due to not being able to attract enough players to form a team. Maybe follow the hockey model where Triple A has a week, then it falls to Double A, etc, to select their teams but of course we wouldn't need as many days to form teams as we aren't dealing with the number of players that hockey does.

Or could look at the option of allowing teams to sign players beginning Sept 1st, and if some teams can complete their roster before Labour Day would also eliminate some of the uncertainty and stress involved in the process.

FINANCIAL IMPLICATIONS

Would have some teams saying they cannot declare their Tier that early in the fall, but the majority of teams are already posting their intentions by that time. Would also delay Tier 2 and then a big push for all teams to hold tryouts but need to do something to improve on how things went this tryout season as it was very stressful for almost all involved.

FINAL RECOMMENDATIONS:

Carried Amended Withdrawn Defeated

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by John Crawford

Motion #OR4

Moved by John Crawford

Seconded by Tyson Levac

REFERENCE: (Section, article, number, page, etc.)

Affiliation and Regulations R1.12 pages 35/36

WHEREAS (Article as currently written)

R1.12 Evaluation and Recruiting –

(a) Club team tryouts or player evaluations in the U9 through U19 divisions cannot commence before Labour Day. Failure to abide by these rules will result in the offending coach being denied Association membership for one (1) year.

(b) All Association coaches, managers, parents, and players are not able to recruit P.W.S.A. players from other teams at any time during the playing season ending August 31st. If a coach is found to be recruiting players during the season, they will be denied membership for one (1) year.

In addition to any suspensions imposed on any coach by P.W.S.A. for illegally recruiting a player, the player or players involved shall not be allowed to play for that team while the coach is under suspension. The player or players are free to play for any other team.

Note: Any member of the association that submits a complaint pertaining to evaluation & recruiting must document their complaint on the approved form, and send the form along with a processing fee of \$250.00 payable to P.W.S.A. If after - 36 - investigation the association deems the complaint to be valid, the processing fee is returned. If, however, the complaint is unfounded, the submitter will lose out on the fee.

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

Revision b)

(b) All Association coaches, managers, parents, and players are not able to recruit P.W.S.A. players from other teams at any time during the playing season ending. "Season end" defined as the Monday following the last day of the Nationals, Easterns, Westerns or Provincials for each division as posted on the PWSA competitions page. If a coach/parent/player is found to be recruiting players during the season, they will be denied membership for one (1) year. Note the division will be the division the athlete is registered in.

In addition to any suspensions imposed on any coach/parent/player by P.W.S.A. for illegally recruiting a player, the player or players involved shall not be allowed to play for that team while the coach(s)/Association is under suspension. The player or players are free to play for any other team/association.

RATIONALE

To allow teams/athletes to plan for the next season once their own season is over.

FINANCIAL IMPLICATIONS

none

FINAL RECOMMENDATIONS:

Amendment to main motion

All Association coaches, managers, parents, and players are not able to recruit P.W.S.A. players from another P.W.S.A. association at any time during the playing season ending.

Moved by Brad Rooney, Seconded by Debbie Malisani

Amendment to the main motion carried.

Main Motion as Amended carried.

Carried Amended Withdrawn Defeated

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by **PWSA**

Motion #OR5

Moved by **Debbie Malisani** **Seconded by** Jo Malisani

REFERENCE: (Section, article, number, page, etc.)

Tournament Rules, Article 4, R4.06 page 40 (online)

WHEREAS (Article as currently written)

R4.06 Tie Breaker - In all Divisions, after seven (7) innings of regulation play, the Tie Breaker shall be used. In the U13 Divisions, tournaments with time limits on games, the Tie Breaker shall be at the end of seven (7) innings or when the time limit is up. Exception: In the U9/U11 Divisions with time limits on games, the Tie Breaker shall be at the end of six (6) innings or when the time limit is up. Exception: In tournaments using pool play/round robin format, ties after 7 innings shall stand.

At the completion of the round robin/pool play portion of such tournaments, the Association Tie Breaker shall be:

- (1) Winner of games between the tied teams.
- (2) Difference plus or minus of total runs scored with the limit of seven (7) plus or minus per game.
Full innings only may be used.
- (3) Least runs allowed.
- (4) Most runs scored.

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

New (1) Addition to current (1) Winners of games between tied teams and renumber rest

New (1) Win loss record

Addition to current #1 NOTE: In order to use this criteria, all subject tied teams must have played each other and one team must have defeated all the teams they are tied with to be ranked higher. The remaining teams then revert to new (1) and move on.

Would now read

R4.06 Tie Breaker - In all Divisions, after seven (7) innings of regulation play, the Tie Breaker shall be used. In the U13 Divisions, tournaments with time limits on games, the Tie Breaker shall be at the end of seven (7) innings or when the time limit is up. Exception: In the U9/U11 Divisions with time limits on games, the Tie Breaker shall be at the end of six (6) innings or when the time limit is up. Exception: In tournaments using pool play/round robin format, ties after 7 innings shall stand.

At the completion of the round robin/pool play portion of such tournaments, the Association Tie Breaker shall be:

- (1) Win Loss Record
- (2) Winner of games between the tied teams. NOTE: In order to use this criteria, all subject tied teams must have played each other and one team must have defeated all the teams they are tied with to be ranked higher. The remaining teams then revert (1) and move on.
- (3) Difference plus or minus of total runs scored with the limit of seven (7) plus or minus per game.
Full innings only may be used.
- (4) Least runs allowed.
- (5) Most runs scored.

- (h) Fighting with other coaches, managers, players, officials or spectators. Goes to a Discipline Committee. Suspension depends on severity.
- (i) Verbal abuse, harassment of any official, player or spectator. Goes to a Discipline Committee. Suspension depends on severity.
- (j) If a Manager, Coach, or member of the team management, offers money to a player for their services. Automatic suspension for a period of one year from the date of suspension.
- (k) If a player - having demanded money for their services. Automatic suspension for a period of one year from the date of suspension.
- (l) Submitting an N.S.F. cheque for payment of any fees to the Association. Automatic suspension until cheque and all charges are cleared.
- (m) When a player leaves their team, they must meet all financial obligations and return all parts of their uniform and property of the team/local organization, or pay the cost of the same, before playing with another team. Failure to do so will automatically place said player under suspension until all property is returned or paid for.
- (n) The consumption of alcoholic beverages or any other impairment inducing substances on or near diamond facilities. Exception: Any Licensed area. Automatic suspension for game, if a single game and/or automatic suspension for Tournament, if a Tournament.
- (o) Any cases of sexual abuse/harassment should be immediately reported to P.W.S.A. Any physical assault, discriminatory public tirades, or any situation in which the police are involved should be immediately reported to P.W.S.A. (copy both the President and Secretary). Failure to do so will result in an Automatic suspension of one year from the date of suspension.

Note: Teams/Associations must submit any matter involving unpaid dues to that Team/Association no later than 7 days prior to the Provincial Championship in the division they are affiliated with. All other issues that may result in suspensions or discipline must be submitted by September 5th of the current year.

Note: Any discipline matter/suspension will be reported to a minimum of two (2) directors of the local/member Association Board

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

New To be added to the end of the above noted Rule

Note: Any parent/player/association who files a false claim or a direct claim with Sport Canada (without first following the complaint processes) included in our Safe Sport Discipline and Complaint policy pages 43 – 49 (Safe Sport policy) will be responsible for the legal costs incurred by P.W.S.A.

RATIONALE

We have spent thousands on defending complaints that were false or of a minor nature that went straight to the Safe Sport watchdog without ever being directed to the club or through the P.W.S.A. Safe Sport Discipline and complaint procedures

FINANCIAL IMPLICATIONS

None

FINAL RECOMMENDATIONS:

Amendment to main motion
 Add note as per page 43 Safe Sport Discipline and Complaints policy the timelines may be modified.
 Moved by Brad Rooney, Seconded by Lynda Turton

Amendment to the main motion carried.

2023 NOMINATION'S MOTION

MOTIONS FOR THE ANNUAL GENERAL MEETING

AMENDMENTS TO THE BY-LAWS – OPERATING RULES

Submitted by PWSA

Motion # N1

Moved by Lynda Turton Seconded by ___Janet Gray-Baker_____

REFERENCE: (Section, article, number, page, etc.)

To accept the following Directors elected to the Board of Directors at the 2022 P.W.S.A. Virtual AGM

Cathy Bilinski (3)
Debbie Malisani (3)
Rose Lasalandra (3)

Randy Alderton (2)
Theresa Coleman (2)
Janet Gray-Baker (2)

Brad Rooney (1)

WHEREAS (Article as currently written)

BE IT RESOLVED THAT (Motion: State whether revision, addition, deletion, etc.)

RATIONALE

FINANCIAL IMPLICATIONS

None

FINAL RECOMMENDATIONS:

Carried Amended Withdrawn Defeated