

## **Constitution of the Ontario Association of Basketball Officials**

### **Article 1 – Name**

- 1.1 The name of this organization is the ONTARIO ASSOCIATION OF BASKETBALL OFFICIALS, Ontario Not-for-Profit Incorporation number 000502000 (1982) , hereinafter referred to as the OABO.
- 1.2 The OABO fills the role as the Provincial (State) Board of the INTERNATIONAL ASSOCIATION OF APPROVED BASKETBALL OFFICIALS, hereinafter referred to as the IAABO PROVINCIAL BOARD 102.

### **Article 2 – Affiliations**

#### **2.1 Definitions:** In this document,

- i. “CB” means Canada Basketball and any committee, group or commission under its direct jurisdiction to which this document applies
- ii. “CBOC” means the Canadian Basketball Officials Commission that is part of Canada Basketball that oversees the education and development of basketball officials in Canada
- iii. “OBA” means the Ontario Basketball Association and any committee, group or commission under its direct jurisdiction to which this document applies
- iv. “OSBA” means the Ontario Scholastic Basketball Association that is a part of the Ontario Basketball Association
- v. “OFSAA” means the Ontario Federation of School Athletic Associations and any committee, group or commission under its direct jurisdiction to which this document applies
- vi. “OCAA” means the Ontario Colleges Athletic Association and any committee, group or commission under its direct jurisdiction to which this document applies
- vii. “OUA” means the Ontario University Athletics and any committee, group or commission under its direct jurisdiction to which this document applies
- viii. “IAABO” means the International Association of Approved Basketball Officials and any committee under its direct jurisdiction to which this document applies
- ix. “CEBL” means the Canadian Elite Basketball League and any committee, group or commission under its direct jurisdiction to which this document applies
- x. “NBL” means the National Basketball League of Canada and any committee, group or commission under its direct jurisdiction to which this document applies

- 2.2 The OABO will be affiliated with the Ontario Basketball Association (OBA) and Canada Basketball (CB)

- 2.3 OABO Local Boards and/or OABO Local Board members may also be affiliated with the International Association of Basketball Officials (IAABO) at their own discretion.

### **Article 3 – Purpose**

- 3.1 To work with organizations listed in Article 2.1 as well as other organizations to promote and develop the game of basketball
- 3.2 To provide an organizational structure for basketball officials in the Province of Ontario and ensure that members are free from discrimination, interference, restriction, coercion, harassment, intimidation or disciplinary action exercised or practiced by a member of a Local Board, by reason of race, colour, age, national or ethnic origin, political or religious affiliation, handicap, sex or sexual orientation.
- 3.3 To promote a standard interpretation of the rules and utilization of mechanics by means of clinics, guest speakers, published information, audio-visual aids and the communication exchange between officials.
- 3.4 To act as the official spokesperson for basketball officials within the province on any and all provincial matters pertaining to basketball officiating.

### **Article 4 – Local Boards**

- 4.1 A Local Board is defined as an organization of officials responsible for the training, education, evaluation and assigning of officials in the geographical area allotted to them.
- 4.2 Traditionally Local Board areas encompass similar boundaries to those of one or more school boards. However, due to geographical considerations, the area might also include a school or schools from another school board, particularly where they might be joined for league purposes. It is noted for purposes of history that township boundaries had a major role in developing original Local Board boundaries.
- 4.3 Where it may become expedient to divide an existing area or establish an area where one does not exist or combining of Local Boards the Local Boards affected must refer to Procedure 1.1 Local Board formation.

### **Article 5 – Membership**

#### 5.1 Membership Defined

- 5.1.1 All members of a Local Board must be members of the OABO.
- 5.1.2 Membership in the OABO is acquired by becoming a member in good standing with a Local Board of the OABO. A member in good standing is a member who has been accepted by a Local Board and has complied with the requirements of that Board and has no outstanding disciplinary actions against him by the OABO or any OABO recognized basketball officiating organization.
- 5.1.3 No member of the OABO may have dual membership with another board not affiliated with or recognized by the OABO.
- 5.1.4 Classes of membership, and methods to obtain said classifications are defined in Procedure 2.
- 5.1.5 Membership fees are defined by classification and listed in Procedure 4.5

### **Article 6 – Transfer of Membership**

- 6.1 A member in good standing may request a transfer of membership from one Local Board to another as listed in Procedure 2.2.

### **Article 7 – OABO Board of Directors**

#### 7.1 – Board of Directors Structure

- 7.1.1 The OABO Board of Directors consists of the President, Vice-President, Secretary, Treasurer, Interpreter, Provincial Supervisor, the appointed regional representative(s), and one representative appointed by the OBA.
- 7.1.2 Regional Representatives must be appointed annually by the elected Board of Directors following the AGM. These Representatives are appointed from areas in which there is no Board of Director.
- 7.1.3 There are five geographical areas which are represented by the following Local Boards:
- NORTH: Muskoka-Parry Sound, North Bay, Sault Ste. Marie, Sudbury, Thunder Bay, Timmins.
- WEST: Elgin, Grey-Bruce, Chatham-Kent, Kitchener-Waterloo, London, Oxford, Sarnia, Windsor.
- CENTRAL WEST: Brant/Norfolk, Guelph, Hamilton, Niagara, Peel.
- CENTRAL EAST: Barrie, Durham, Toronto, York.
- EAST: Bay of Quinte, Cobourg, Kingston, Ottawa, Peterborough, Renfrew, Seaway Valley

## 7.2 Term of Office

- 7.2.1 The term of office for all positions, except as noted in 7.1.2, 7.2.2, and 7.2.4 will be two years in length commencing at the final adjournment of the AGM in which they are elected and ending at the final adjournment of the AGM two years later when that position was open.
- 7.2.2 An individual may serve an unlimited number of terms as President, but never more than two consecutive terms.
- 7.2.3 Elections for the positions of President, Vice President and Provincial Supervisor must be held in even numbered years. Elections for the positions for Secretary, Treasurer, and Interpreter must be held in odd numbered years.
- 7.2.4. Terms of Office for Secretary and Treasurer
- 7.2.4.a The term of office for Secretary and Treasurer runs from July 1<sup>st</sup> to June 30<sup>th</sup> following the election at the AGM. The newly elected Secretary and Treasurer will work in concert with the existing Secretary and Treasurer during the approximate two to three-month changeover from the AGM to July 1st .
- 7.2.4.b Where the existing Secretary and Treasurer are unable or unavailable to work in concert with the newly elected Secretary and Treasurer then the term of office will take effect and terminate as described in 7.2.1

## **Article 8 – Meetings**

- 8.1 All meetings may be held at an in-person venue or may be held via electronic means provided such means allows all in attendance the ability to hear, have voice and to vote.
- 8.2 The Annual Educational Meeting must be held in the month of September or October but no later than October 15<sup>th</sup> of each year.
- 8.3 The Annual General Meeting (here-in-after referred to as AGM), must be held on a weekend close to the end of April, but no later than the end of May on a date established by the OABO Board of Directors.
- 8.4 The President of the OABO must call any Board of Directors or General Meetings that are required. The President must call a General Meeting on the request of at least 50% of the membership.

- 8.5 The following must be included in the order of business for the AGM:
- a) President's Opening Remarks
  - b) Awards and Presentations
  - c) Minutes of the Previous AGM
  - d) Business Arising from the Minutes
  - e) Reports: Board of Directors, Committee(s), and Local Boards
  - f) Correspondence
  - g) Budget
  - h) Amendments to the Constitution
  - i) Election of Board of Directors
  - j) New Business
  - k) Endorsement of the OABO Board of Directors actions for the previous year
  - l) Adjournment
- 8.6 Rules of Order
- 8.6.1 The rules contained in the Modern Edition of Robert's Rules of Order, most recent edition, will govern the OABO and in all cases where they are not consistent with the Constitution, Procedures, and any special rules of order the OABO may adopt.
- 8.6.2 All motions adopted at the AGM will come into effect immediately upon adoption by the assembly except as may be noted in the motion. Elected positions will come into effect at the final adjournment of the AGM as stated in 7.2.1 except as stated in 7.2.4.
- 8.7 Voting Eligibility and process are covered in Procedure 6.
- 8.8 AGM Attendance Requirements
- 8.8.1 Each Local Board must have at least one registered voting delegate at the AGM.
- 8.8.2 A Local Board that is not represented for two consecutive years at the AGM, will be deemed to be "not in good standing". A list of those boards represented at the AGM will be released in the Summer issue of "The Whistle".
- 8.9 The President may call a Special General Meeting with 48 hours notice being forwarded to the last known President and Secretary for each local board depending on the importance of said meeting. Such notice must be made using any of the following methods: email or telephone.
- 8.10 A minimum of forty-five days notice must be given to the membership, for the holding of the AGM. The notice must contain all motions, and nominations for Board of Director positions open for election. Such notice must be published in The Whistle and emailed to the last know addresses of all members.

## **Article 9 – Amendments to Constitution and Procedures**

- 9.1 Constitutional amendments require an affirmation of a two-thirds majority of the votes cast at the AGM including votes by proxy.
- 9.2 Procedure amendments may be presented/brought to the floor at the AGM or at any General Meeting and require an affirmation of a simple majority of the votes cast including votes by proxy.
- 9.3 The Amendment Submission process is covered in Procedure 6.
- 9.4 Updated copies of the Constitution, duly amended and passed at the AGM, must be posted on the Association's website, and distributed to the Local Board Secretaries no later than 30 days following the AGM.

## **Article 10. OABO Code of Conduct** **10.1 Philosophical Statement**

Amended during the OABO AGM  
 April 17, 2021

- a) The OABO is an Association of equals built on common interests and common objectives that is to provide officiating services, training of officials, evaluation and assignment of officials and coordination of officiating services with basketball organizations in Ontario. The OABO Code of Conduct reaffirms our common philosophy with the intent to influence the action and conduct of those who are associated with the development and/or delivery of OABO programs and activities.
- b) It is incumbent on all OABO officers to educate representatives, including referees-in-chief, clinicians, evaluators, speakers, officials, and officials who are also coaches to adhere to the OABO Code of Conduct.
- c) It is the responsibility of all OABO members and Local Boards to deal with incidents involving abuse or harassment of officials. Officials must report incidents of harassment and or abuse to the Local Board. Depending on the severity and nature of the actions, the official, the Local Board and the OABO Board of Directors must inform the proper authorities where acts of abuse have occurred. The Local Board must forward the officials' reports to the OABO Secretary.
- d) The OABO Secretary must be informed of any complaints regarding Code of Conduct violations. If the OABO Secretary is a named party in the complaint the President must be informed.

## 10.2 Principles

- a) We as trainers, evaluators, clinicians, administrators, officials, and officials who also coach must adhere to the following:
  - i. work together to create an atmosphere of fairness, integrity and respect, free from bias and discrimination
  - ii. uphold the highest standard of ethical behavior and personal conduct at all times,
  - iii conduct ourselves in such a way as to represent the OABO in the most favourable light at all times.
- b) Everyone involved in OABO activities must support the principles of fairness, integrity, and respect. Members are bound to exhibit and encourage behavior, which is consistent with the Association's stated philosophies and principles.
- c) The OABO is committed to providing a sport and work environment that is free of harassment and/or abuse. We believe that every member of our organization, and everyone with whom we deal with, has the right to be treated with respect and dignity.
- d) The OABO is committed to providing an environment where members respect the personal dignity of others, are free from all forms of harassment, and are free to exercise their rights under the Human Rights Code, and the Canadian Charter of Rights.
- d) We will not tolerate harassment or abuse within our organization.
- e) It is the responsibility of all OABO members and Local Board members to deal with incidents of abuse or harassment either of, or by officials.
- f) We will take all complaints of harassment and/or abuse seriously, and will ensure that they are dealt with promptly, sensitively, and confidentially.

## 10.3 Definitions

- i) **Harassment:** Harassment consists of offensive, abusive, belittling, or threatening behaviour directed at a person or people, because of a particular characteristic of that person or people, including the person or peoples' level of empowerment relative to the harasser. The behaviour must be unwelcome and the sort of behaviour a reasonable person would recognize as unwelcome and likely to cause the person to feel offended, humiliated, or intimidated.

- ii) Sexual Harassment:** A person is deemed to have sexually harassed another person (the person harassed) if
- a. the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed, or the person engages in unwelcome conduct of a sexual nature in relation to the person harassed
  - b. in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated, or intimidated. "Conduct of a sexual nature" includes making a statement of a sexual nature to a person, or in the presence of a person.
- iii) Behaviour constituting harassment:** can take many different forms and may be explicit or implicit, physical, verbal, or non-verbal. Examples include, but are not limited to:
- a. jokes or comments directed at a person's body, looks, age, race, religion, sexual orientation, or disability.
  - b. abusive behaviour aimed at humiliating or intimidating someone in a less powerful position.
  - c. unwelcome remarks including teasing, name-calling, or insults.
  - d. innuendo or taunting.
  - e. homophobic comments and/or behaviours.
  - f. uninvited touching, kissing, embracing, or messaging.
  - g. unwelcome staring, leering, or ogling.
  - h. unwelcome smutty jokes and comments.
  - i. unwelcome persistent or intrusive questions about a person's private life.
  - j. repeated invitations to go out, especially after prior refusal.
  - k. unwelcome sexual propositions.
  - l. the use of promise or threat to coerce someone into sexual activity.
  - m. sexual insults, taunts, or name-calling.
- iv) Abuse:** Abuse can be defined as, but not limited to any act of threat involving molestation, harassment, corporal punishment, or any form of physical, sexual, or mental abuse; the misuse of power or authority; treatment of an individual or persons in a harmful, injurious, and/or offensive manner; speaking insultingly, harshly and/or unjustly to or about another person(s); or committing an act of sexual assault.
- v)** It should be noted that jokes and behaviour that are genuinely enjoyed and consented to by everyone present are **not** harassment. Sexual interaction or flirtation that is based on mutual attraction or friendship, and which is consensual or invited, is **not** sexual harassment. However, it is important to recognize that some people may accept or put up with behaviour they find harassing, especially if they hold a subordinate position relative to the group or individual engaging in the behaviour. It is the responsibility of all members covered by this policy to err on the side of caution and to be sensitive to the impact of their behaviour, not just those to whom the behaviour is primarily directed.

#### 10.4 Application

- i) The OABO has the authority to establish policies to govern its own affairs and to prescribe, monitor, and enforce the conduct of its members pursuant to such policies.
- ii) This Code of Conduct identifies the standard of conduct, which is expected of all members of the OABO including all officers, referees-in-chief, clinicians, evaluators, speakers, and officials.

- iii) The Code of Conduct applies to all activities and functions of the OABO including competitions, camps, travel, accommodation, banquets, and social activities associated with OABO events and events at which OABO members are participants.
- iv) Individuals who violate the Code of Conduct may be subject to disciplinary actions.

#### **10.5 Routine Enforcement**

- i) All complaints related to the OABO Code of Conduct must be handled by the process outlined in Procedure 4.10

#### **Article 11 APPEALS**

- 11.1 An OABO member has the right to appeal any disciplinary action involving suspension by a Local Board to the OABO Board of Directors by submitting an Appeal in writing within 15 days from the date of the disciplinary action which is to be sent to the OABO Secretary.
- 11.2 Any person including an OABO member has the right to appeal any decision by the Professional Standards Committee to the OABO Board of Directors by submitting an Appeal in writing within 15 days from the date of the disciplinary action which is to be sent to the OABO Secretary.
- 11.3 An Appeal hearing procedure must be followed as listed in procedure 4.13.
- 11.4 Any IAABO member may appeal a decision by the OABO Board of Directors with respect to suspension or expulsion to the IAABO Executive as per the IAABO Constitution.

#### **Article 12 – Interpretation**

- 12.1 Interpretation of the OABO Constitution and Procedures when required must be by majority vote of the OABO Board of Directors.
- 12.2 Any Item not specifically covered by the OABO Constitution and Procedures must be decided by a majority vote of the OABO Board of Directors.
- 12.3 Conflict of Interest is a situation whereby a member of the OABO Board of Directors or any other appointed officer of the OABO may benefit directly by participation in a particular decision that is being undertaken by any committee of the OABO. These decisions may be financial or personnel decisions that may benefit the decision-maker directly. The OABO Board of Directors must then make a decision and rule on the situation as to the member's inclusion or exclusion on the item at hand.

## APPENDICES

### Appendix 1 – Honorary/Life Members

|                                  |                                 |                                 |                            |                                     |
|----------------------------------|---------------------------------|---------------------------------|----------------------------|-------------------------------------|
| Bruce Blackburn<br>(Toronto)     | Jack Burnett *<br>(Guelph)      | Stan Burns *<br>(Niagara)       | Paul Carter<br>(Windsor)   | Guy Cipriani<br>(Hamilton)          |
| Don Cline *<br>(London)          | Bruce Covert<br>(Bay of Quinte) | Nadine Crowley<br>(Ottawa)      | Stan Crowley *<br>(Peel)   | John Cullen *<br>(Ottawa)           |
| Dutch Decker *<br>(London)       | Ted Earley *<br>(London)        | Sandy Forand<br>(Niagara)       | Ron Foxcroft<br>(Hamilton) | Wilf Garrett *<br>(Niagara)         |
| Min Hendrick *<br>(Niagara)      | Dennis Herbert<br>(York)        | Charles Ketter *<br>(Sudbury)   | Pat Laing<br>(Niagara)     | Vern MacDonald *<br>(OBA)           |
| Kitch MacPherson *<br>(Hamilton) | Bill McAleer<br>(Barrie)        | Jaime McCaig<br>(Bay of Quinte) | Mike McPhee<br>(Guelph)    | Paul Mitchell<br>(Brantford)        |
| Mike Mitruk *<br>(Niagara)       | Ted Montgomery<br>(Toronto)     | Murray Mulligan<br>(Niagara)    | Roy Pethick *<br>(Toronto) | Markku Peuhkurinen<br>(Thunder Bay) |
| Ron Pleasance *<br>(Toronto)     | Al Rae *<br>(Ottawa)            | Gene Schaaf<br>(York)           |                            |                                     |

Deceased \*