

Edmonton Motorcycle Roadracing Association



Policy and Procedure Manual

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1) DEFINITIONS

For the purpose of this Edmonton Motorcycle Roadracing Association Policy and Procedure Manual, the following definitions are applicable:

- a) **“EMRA”** – The Edmonton Motorcycle Roadracing Association.
- b) **“Bullying”** – Is a repeated pattern of negative behaviour aimed at a specific Member or group of Members. This can include physical abuse, threat of abuse or psychological abuse. This can involve sexual harassment and discrimination.
- c) **“Director”** – An individual elected by the Members to form the Executive and provide overall governance and guidance with respect to the Mission and Vision stated in this Manual. Directors include named positions and general directors.
- d) **“Discrimination”** – Means the unequal treatment of an individual or group based on certain characteristics or statuses, such as age, beliefs, ethnicity or sex.
- e) **“Emergency Contact”** – A person or persons designated by the Member who is to be contacted in case the Member is involved in a major incident.
- f) **“Equipment”** – Refers to any equipment and/or asset owned by the EMRA, which includes, but is not limited to, the: crash truck, crash trailer, air fence, air fence trailer, track bins and contents thereto, radios and flags.
- g) **“Executive”** – Refers to all of the Directors operating as a whole.
- h) **“Harassment”** – A person or persons who create unpleasant or hostile situation for especially by uninvited and unwelcomed verbal or physical contact.
- i) **“Indictable Offense”** – A serious crime punishable by law under the Criminal Code of Canada.
- j) **“Immediate Family” or “Personal Contact”** – This may mean any of the following person(s) as they relate to the Member:
 - i) Spouse or common-law partner, with common-law partner meaning a person who has been cohabitating with the individual in a conjugal relationship for at least 6 months;
 - ii) Father and mother and the spouse or common-law partner of the father or mother;
 - iii) Children and the children of the individual’s spouse or common-law partner;
 - iv) Brothers and sisters, both by inference of “step” or “in-law”;
 - v) Partner or Girlfriend/Boyfriend, as designated by the Member and is to be treated with the same respect and weight as any of the persons as described in i) to iv).
- k) **“Major Incident”** – An incident involving a Member in which the Member is critically injured, incapacitated or in which case the incident has resulted in the Member’s death. The Member is then referred to as the **“Injured Member”**.
- l) **“Manual”** – This EMRA Policy and Procedure Manual.
- m) **“Member”** – Any individual who has paid the Membership dues required to be a part of the EMRA.
- n) **“Sexual Harassment”** – is any unwelcomed conduct, comment, gesture or physical advance of a sexual nature.
- o) **“Vexatious Individual”** – is defined as an individual who:

- i) Persistently engages in inappropriate behaviour;
- ii) Persistently raises inappropriate issues;
- iii) Persistently complains about issues that have already been determined; and/or
- iv) Persistently fails to abide by the decisions and directions of the Executive.

2) IMPLEMENTATION, AMENDMENT AND APPLICABILITY

- a) This Manual supercedes and replaces all previous policies and procedures and is to be used in conjunction with the EMRA Bylaws.
- b) This Manual shall be reviewed annually by the Membership.
- c) This Manual may be amended at any time upon approval of the Directors. Any amendments will be communicated to the Membership and be binding upon the Members.
- d) All Members must comply with the Manual. Failure to comply with the Manual may result in discipline, up to and including the termination of Membership.
- e) This Manual is developed to assist with compliance of EMRA organizational standards, governance and management of EMRA operations, and to ensure harmonious working relationships among Directors, Members and all those associated and working with the EMRA.
- f) All Directors are required to read and understand this Manual prior to the commencement as a Director of the EMRA.

3) CODE OF CONDUCT

- a) It is the mutual responsibility of all Members of the EMRA to create and maintain a violence-free environment and to address violence and/or the threat of violence from all possible sources. The EMRA will do its part by not tolerating or condoning violence at the track or at an EMRA sanctioned event and Members are expected to immediately contact any Director upon receipt of a complaint of violence or upon witnessing or awareness of violent behaviour or the threat of violent behaviour.
- b) The EMRA is committed to providing its Members with an environment that is free from all form of discrimination, harassment and bullying. The Executive will make every reasonable effort to ensure that no Member is subjected to any form of discrimination, harassment or bullying and no Member shall cause or participate in the discrimination, harassment or bullying of another Member at any EMRA sanctioned event. Violations of this policy will lead to disciplinary action, up to and including, termination of Membership.
- c) Conduct of Members that will not be tolerated and which will give rise to disciplinary action, up to and including termination of Membership, includes, but is not limited to the following:
 - i) Breach of this Manual;
 - ii) Breach of trust;
 - iii) Conduct that endangers the safety of any Member or Member of the public;
 - iv) Defacing or destroying EMRA property;
 - v) Dishonesty;

- vi) Insolence or insubordination;
 - vii) Drug use immediately prior to or during a racing event or track evening;
 - viii) Alcohol use immediately prior to or during a racing event or track evening;
 - ix) Theft;
 - x) **Vexatious individual**
- d) The Member may also seek redress under the *Canadian Human Rights Act* for acts of discrimination.
- e) **Any Member found uttering threats of physical violence towards another Member inside or outside of any EMRA sanctioned event may come under review by the Executives at the request of any Member. The accused Member may be subject to disciplinary action, up to and including the termination of Membership.**

4) CONFIDENTIALITY

All Directors are expected to use caution and good judgment in discussing information related to the EMRA.

5) DIRECTOR ROLES AND RESPONSIBILITIES

- a) Roles and responsibilities of Directors shall be reviewed annually and revised as required.
- b) Directors shall not disclose information about other Directors or Members obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
- c) Directors shall be as objective as possible in all evaluations concerning the work of others.
- d) Directors shall continually challenge and assess strengths and weaknesses of themselves and other Directors for effectiveness.

6) DISCIPLINARY ACTIONS

- a) Any disciplinary action taken against a Director or Member will reflect the seriousness of the offense and consider the Director or Member's past disciplinary record (if existent).
- b) Efforts to correct a Director or Member's behaviour will follow a progressive discipline scheme in the following order:
 - i) Verbal Warning – a verbal statement of warning by a designated Executive, with notation made to the Director or Member's personnel file;
 - ii) Written Warning – A written notice setting forth the conduct or performance issues and a statement of consequences is given to the Director or Member, with a copy to be placed on the Director or Member's personnel file;
 - iii) Dismissal – The termination of the Director's position on the Executive or the Member's Membership within the EMRA for the remainder of the year. This termination is to be

delivered by written and verbal notice. A copy of the written notice is to be placed on the Director or Member's personnel file.

- c) The EMRA recognizes that, in appropriate circumstances, a Director may be terminated by way of dismissal. In such circumstances, the termination will be effected in a manner that ensures the continued efficient operation of the EMRA.
- d) When a Director's involvement is terminated for any reason, the remaining Directors must complete a review of the terminated Director's responsibilities and ensure:
 - i) a termination letter has been completed and a copy provided to the Director;
 - ii) the Director has returned all EMRA property;
 - iii) the Director has removed his or her own property from EMRA possession (if applicable);
 - iv) appropriate security measures have been taken, such as the cancellation of computer codes/accounts access, etc., for the terminated Director;
 - v) all responsibilities are delegated to another Director for coverage to ensure continued efficient operation of the EMRA.
- e) **Notwithstanding Section 6(b), any Member found to be of a vexatious nature, and the Executive have established a majority vote determining same to be true:**
 - i) **the Member's Membership with the EMRA may be immediately terminated;**
 - ii) **the Member's Racing License with the EMRA may be immediately terminated; and/or**
 - iii) **the Member may be banned from participating or attending any EMRA events for a term in which the Executives feel is necessary and appropriate.**

7) EQUIPMENT

- a) The use of EMRA Equipment shall be limited to EMRA related activities or as indicated under any rental contract.
- b) The crash truck must be operated by a person who can provide proof of a valid driver's licence.
- c) The crash truck must be driven carefully at all times.
- d) Equipment shall be inspected prior to use for any damage or defects and coordinate repairs as required.

8) ELECTRONIC COMMUNICATION

- a) This Electronic Communications section of the Manual applies to all forms of electronic communications, including, but not limited, to: internet, intranet, email, voicemail, video conferencing, telephones, facsimiles, mobile phones, social media and communication applications (i.e. WhatsApp).
- b) It is the responsibility of each Director to safeguard the EMRA's information by understanding and complying with this section.
- c) Directors are expected to use electronic communications in a professional manner.

- d) Directors are expected to refrain from expressing personal opinions when communicating on behalf of the EMRA.
- e) Directors shall not make any inappropriate comments regarding the EMRA or anyone associated with the EMRA that may damage the reputation of the EMRA or bring the EMRA into disrepute.
- f) Directors shall not send or solicit any sexually oriented messages or images.
- g) Directors shall not send or solicit any messages or images of a harassing, discriminatory, abusive or profane nature.

9) CRIMINAL CHARGES

a) DIRECTORS

- i) Directors are required to notify the Executive if they are facing criminal charges.
- ii) Should criminal charges of a Director involve an Indictable Offence, the Director shall be suspended from the Executive immediately.
- iii) After they have appeared in court:
- iv) If the Director is found not guilty, the suspension shall be lifted and the Director may return to normal duties without recourse; or
- v) If the Director is found guilty, they will be immediately dismissed from the Executive and a review of their Membership will be undertaken for further disciplinary action, which may include termination of Membership.

b) MEMBERS

- i) Any Member found guilty of an indictable offence which was committed at an EMRA sanctioned event or closely-related motorcycle event (e.g. Air Fence Fundraiser, Trade Show, track event) is required to immediately disclose the offence to the Executive.
- ii) The Executive will determine by majority vote if the Member charged with an offence is eligible to keep their Membership.

10) WHISTLEBLOWER PROTECTION

- a) Directors and Members shall follow the Code of Conduct. The EMRA encourages Members to report suspected or known breaches of the Code of Conduct. The EMRA will protect the confidentiality of anyone who reports a breach of trust.
- b) Any report made in good faith by a Member will be held in strict confidence.
- c) Any Member who attempts to discriminate or impose recriminations against another Member who filed, in good faith, an incident report of breach of trust may face disciplinary action which may include having their Membership revoked for a term which the Executive deems appropriate.

11) DRUGS AND ALCOHOL POLICY

- a) The EMRA is committed to maintaining a healthy and safe racing environment by, among other measures, providing track and sanctioned events free from drugs, cannabis drugs and alcohol. The importance of this commitment is reinforced by the fact that many Members work in safety sensitive positions in which an error in judgment or compromised motor skills could result in injury or even death. The use of drugs, cannabis, or alcohol by a Member may adversely affect the EMRA's ability to function in a safe manner. Accordingly, the EMRA maintains a strict policy against the use of alcohol and the use of drugs at all EMRA race sanctioned events.
- b) Drug and Alcohol Testing
- i) In order to assure a healthy, safe and productive race environment in accordance with this Drug and Alcohol Testing Policy, the EMRA may conduct specific drug and alcohol testing in the following circumstances:
- (1) Reasonable Suspicion: The EMRA may request that a Member submit to a drug or alcohol test if there is reasonable suspicion that a Member is or may be unable to race in a safe manner because of the use of drugs, cannabis drugs or alcohol. Whether there is a reasonable suspicion will be determined based upon specific observations concerning appearance, behaviour, speech or bodily odour of the Member. Examples include, but are not limited to, the following: evidence of drugs, cannabis drugs or alcohol on or about the Member's person or in the Member's possession or conduct on the part of the Member that suggests that the Member may be under the influence of drugs, cannabis drugs or alcohol.
 - (2) Post-Incident: The EMRA may request that a Member submit to a mandatory drug and alcohol test if the Member was involved in a significant incident, accident or near miss and the EMRA, acting reasonably, believes that drug, cannabis drugs or alcohol use may have been a contributing factor. The request will be made as soon as reasonably practicable after the significant incident, accident or near miss.
 - (3) Safety-Sensitive Position: For the purposes of the EMRA, a "safety-sensitive position" is one in which incapacity due to drug or alcohol impairment could result in direct and significant risk of injury to the Member, a third party or third parties, property or the environment. These positions depend upon alertness, quickness of response, soundness of judgment, and accuracy of coordination. Any Member placed into a safety-sensitive position may be required to undergo drug or alcohol testing prior to commencement in that position. In such circumstances, placement into a safety-sensitive position is conditional upon a negative test result. Any Member volunteering for a safety-sensitive position who undergoes drug or alcohol testing and received a positive result or has tampered with the sample or test result is in violation of this Drug and Alcohol Policy.
- ii) Members are required to cooperate with any testing required under this Drug and Alcohol Policy. No Member shall tamper with or adulterate a sample submitted for testing or substitute a sample or submit an adulterated or substituted sample for testing.
- iii) Testing Procedures: A Member required to undergo drug and alcohol testing will be taken to the appropriate health professionals of the EMRA to conduct drug and alcohol testing. The Member will be requested to provide a sample for a drug and alcohol test administered by a qualified medical practitioner (the "**Paramedics**"). The Paramedics will promptly provide the EMRA with the results from the test. If the Member:

- (1) Tests negative - then the Member will be cleared to return to participating in the days' events at the sole discretion and direction of the Directors; or
- (2) Tests positive - the Member will be asked to immediately leave the EMRA event. The Member may be subjected to further review, along with potential disciplinary action, which may include, but not be limited to, revocation of Membership and lifetime ban from the EMRA.

In the event that the Member refuses the test, the Member will be considered to have breached the terms of this Drug and Alcohol Testing Policy and his or her Membership may be revoked for cause.

If a Member has been advised that he or she must report for drug or alcohol testing, that Member will be considered to have refused to submit to a test if he or she:

- (a) expressly refuses to submit to the test;
- (b) fails to appear at the test site within a reasonable period of time without a reasonable explanation for the delay;
- (c) fails to provide an adequate sample without a valid medical explanation; or
- (d) engages in conduct that obstructs or is intended to obstruct the testing process.

12) MAJOR INCIDENT PROTOCOL

- a) If at any time during an EMRA sanctioned event, a Member is involved in a Major Incident, the following protocol is to be observed and carried out at all times:
 - i) Notification of the incident is to be immediately brought to the attention of the Directors, with emphasis moreso on the attention of the President and Vice-President;
 - ii) Only the Directors, with emphasis moreso on the President and Vice-President, shall communicate with the Paramedics on the status of the Injured Member;
 - iii) Upon advice and direction of the Paramedics, only the President and Vice-President will communicate with the registered Emergency Contact of the Injured Member. If the President and/or Vice-President are not available, the next available Director shall take charge of the communication. Communication to the Emergency Contact may include, but not be limited to, the following:
 - (1) Who was involved in the incident;
 - (2) General observations on what caused the incident (if known);
 - (3) Status of health of the Injured Member (if known);
 - (4) Information for the Emergency Hotline.
 - iv) Out of respect for the Injured Member and their Family, all Members are asked to refrain from communicating any information on the incident, to anyone and on any platform (i.e social media, text messages, etc.), without the explicit instructions from a Director to do so.

13) ACKNOWLEDGEMENT OF RECEIPT OF MANUAL

Members of the EMRA will be provided access to a copy of this Manual upon registration and payment of his or her Membership dues and is deemed to have received the Manual upon confirmation of Membership registration. It is each Member's responsibility to read and understand the Manual. It is declared that upon receipt of the Manual, each Member agrees to abide by the Manual and agree that the Manual constitutes part of the terms and conditions of their Membership with the EMRA.