

# Edmonton Motorcycle Roadracing Association



## Code of Conduct

## Table of Contents

1) DEFINITIONS.....	3
2) Implementation, Amendment and Applicability.....	4
3) MEMBER BEHAVIOR.....	4
4) DIRECTOR CONDUCT .....	4
5) Disciplinary actions.....	5
6) Equipment .....	6
7) Criminal Charges .....	6
8) Whistleblower Protection .....	6
9) Drugs and Alcohol Policy.....	6
10) MAJOR INCIDENT PROTOCOL .....	8

## 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) **“Board”** – The board of directors of the EMRA.
- c) **“Bullying”** – Bullying and harassment includes any inappropriate conduct or comment that a person knew or reasonably ought to have known would be humiliating or intimidating. The conduct may be written, verbal, physical, online, or electronic, a gesture or display, or any combination of these.
- d) **“Director”** – each of the members elected to form the Board and provide governance for the EMRA. Directors include named positions and general directors.
- e) **“Discrimination”** – Means the unequal treatment of an individual or group based on certain characteristics or statuses, such as age, beliefs, ethnicity or sex.
- f) **“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.
- g) **“Equipment”** – Refers to any equipment or asset owned or rented by the EMRA.
- h) **“Harassment”** – Bullying and harassment includes any inappropriate conduct or comment that a person knew or reasonably ought to have known would be humiliating or intimidating. The conduct may be written, verbal, physical, online, or electronic, a gesture or display, or any combination of these.
- 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) **“Member”** – Any individual who has paid the Membership dues required to be a part of the EMRA.
- m) **“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) The Code of Conduct shall be reviewed annually by the Membership.
- b) The Code of Conduct may be amended at any time upon approval of the Directors. Any amendments will be communicated to the Membership.
- c) All Members must follow the Code of Conduct. Failure to comply may result in discipline, up to and including the termination of Membership.

## **3) MEMBER BEHAVIOR**

- a) It is the mutual responsibility of all Members of the EMRA to create and maintain an environment free of violence and to address violence and/or the threat of violence from all possible sources. The EMRA will not tolerate or condone 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 violent or threatening 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 Board 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 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 the Code of Conduct;
  - ii) Conduct that endangers the safety of any Member or member of the public;
  - iii) Defacing or destroying EMRA Equipment;
  - iv) Dishonesty;
  - v) Insolence or insubordination;
  - vi) Use of drugs or alcohol immediately prior to or during an event in which the individual is participating or organizing;
  - vii) Theft;
  - viii) Vexatious individual.
- d) 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) DIRECTOR CONDUCT**

- a) All Directors are expected to use caution and good judgment in discussing information related to the EMRA.
- 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 are expected to communicate in a professional manner.
- e) Directors are expected to refrain from expressing personal opinions when communicating on behalf of the EMRA.
- f) Directors shall not make 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.
- g) Directors shall continually challenge and assess strengths and weaknesses of themselves and other Directors for effectiveness.
- h) EMRA equipment
  - i) The use of EMRA Equipment shall be limited to EMRA related activities or as indicated under any rental contract.
  - ii) The crash truck must be operated by a person who can provide proof of a valid driver's licence.
  - iii) The crash truck must be driven carefully at all times.
  - iv) Equipment shall be inspected prior to use for any damage or defects and coordinate repairs as required.

## **5) DISCIPLINARY ACTIONS**

- a) Any disciplinary action taken against a Member will reflect the seriousness of the offense and consider the Member's past disciplinary record (if existent).
- b) Efforts to correct a Member's behaviour will follow a progressive discipline scheme in the following order:
  - i) Verbal Warning – a verbal statement of warning by a Director, with notation made to the Member's record;
  - ii) Written Warning – A written notice setting forth the conduct or performance issues and a statement of consequences is given to the Member, with a copy to be placed in the Member's record;
  - 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) Notwithstanding Section 6(b), any Member found to be of a vexatious nature, and the Executive have established this by a majority vote:
  - 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.

## **6) EQUIPMENT**

- a)

## **7) CRIMINAL CHARGES**

### **a) DIRECTORS**

- i) Directors are required to notify the Board 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:
  - (1) If the Director is found not guilty, the suspension shall be lifted and the Director may return to normal duties without recourse; or
  - (2) If the Director is found guilty, they will be immediately dismissed from the Board 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 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.

## **8) 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.
- b) Any report made in good faith by a Member will be held in strict confidence.
- c) Any Member who retaliates against a Member who, in good faith, reported misconduct may face disciplinary action, which may include having their Membership revoked for a term which the Executive deems appropriate.

## **9) DRUGS AND ALCOHOL POLICY**

- a) The EMRA maintains a strict policy against the use of drugs and alcohol at all EMRA on track events. The importance of this commitment is reinforced by the fact that motorsports are a high-

risk activity where an error in judgment or compromised motor skills could result in injury or death. This applies to all drugs and alcohol: illicit, prescribed, or over the counter that could impair judgement, motor skills, or reaction times.

b) Drug and Alcohol Testing

i) To assure a healthy and safe 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 may be unable to race in a safe manner because of the use of 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 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 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 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 where impairment could result in injury to any person, property, or the environment. These positions depend upon alertness, quick response, and sound judgment. Any Member in a safety-sensitive position may be required to undergo drug or alcohol testing.

ii) Members are required to cooperate with any testing required under this Drug and Alcohol Policy. No Member shall tamper with a sample submitted 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.

If a Member refuses a 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.

#### **10) MAJOR INCIDENT PROTOCOL**

- a) If during an EMRA 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 Directors, with emphasis to notify the President and Vice-President;
  - ii) Only Directors, preferably 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, the President or Vice-President will communicate with the registered Emergency Contact of the Injured Member. If the President and Vice-President are not available, the next available Director shall take charge of the communication. Communication to the Emergency Contact may include 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 Immediate 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 explicit instructions from a Director to do so.