**Proposed By-law Amendment #1**

Amendment to By-law Section 1c (Board supported)

CURRENT WORDING:

1.c. "CHA" means the Canadian Hockey Association (or such other name as the CHA may in the future legally adopt);

PROPOSED WORDING:

“HC” means Hockey Canada (or such other name as HC may in the future legally adopt);

RATIONALE FOR CHANGE:

Housekeeping to ensure terms and definitions are accurate and up to date. The name of the governing body of Hockey Canada was changed in 1998 to Hockey Canada.

**Proposed By-law Amendment #2**

Amendment to By-law Section 1 (Board Supported)

CURRENT WORDING:

No current wording in **Definition Section**

PROPOSED WORDING:

1 q. "Member in good standing" means that all registration and other fees are paid up to date, there are no outstanding Association applied sanctions or disciplinary actions, all Association equipment has been returned in the same condition as given and the member has no legal actions taken against the Association.

RATIONALE FOR CHANGE:

Housekeeping to ensure terms and definitions are accurate and up to date. The term “member in good standing” is used in a number of clauses, without a definition provided. **Proposed By-law Amendment #3**

Amendment to By-law Section 8.1 (Board Supported)

CURRENT WORDING:

**8         Board of Directors**

1)     Composition

a)     Eligibility

i)        A Director:

(1)   shall be eighteen (18) or more years of age;

(2)   shall be a Member of the Association at the time of his or her election or appointment or becomes a member within 10 days of election;

(3)   shall remain a Member of the Association throughout his or her term of office.

PROPOSED WORDING:

**8**         **Board of Directors**

1)     Composition

a)     Eligibility

i)        A Director:

(1)   shall be eighteen (18) or more years of age;

(2) shall not have a status of Bankrupt

(3) shall not have been found under the Substitute Decisions Act, or under the Mental Health Act to be incapable of managing property or who has been found to be incapable by a Court in Canada or elsewhere.

(4)   shall be a Member of the Association at the time of his or her election or appointment or becomes a member within 10 days of election;

(5)   shall remain a Member of the Association throughout his or her term of office.

RATIONALE FOR CHANGE:

Housekeeping to ensure terms and definitions are accurate and up to date. Business Corporation Act states:

**118** (1) The following persons are disqualified from being a director of a corporation:

1. A person who is less than eighteen years of age.

2. A person who has been found under the *Substitute Decisions Act, 1992* or under the *Mental Health Act* to be incapable of managing property or who has been found to be incapable by a court in Canada or elsewhere.

3. A person who is not an individual.

4. A person who has the status of bankrupt.  R.S.O. 1990, c. B.16, s. 118 (1); 2006, c. 34, Sched. B, s. 19 (1).

**Proposed By-law Amendment #4**

Amendment to By-law Section 15.3 (Board supported)

CURRENT WORDING:

No current wording

PROPOSED WORDING:

**Section 15 Banking Arrangements**

15.3 Cheque Signing

The Treasurer and either the President or Vice-President(s) will sign all cheques issued by the Whitby Minor Hockey Association.

RATIONALE FOR CHANGE:

This clause mirrors the OMHA and eliminates the opportunity for two other members on the executive to write a cheque without the knowledge of the Treasurer. The clause is clear and requires the Treasurer to all sign cheques with a second signature coming from either the President or Vice President.

**Proposed By-law Amendment #5**

Amendment to By-law Section 10.13 (Board Supported)

CURRENT WORDING:

**Section 10 Board Responsibilities/Meetings**

13) Rules Of Operation

a)     Notwithstanding any other provision contained in this By-law, the board shall have the power to pass without any confirmation or ratification by the members of the Corporation all necessary rules and regulations as they deem expedient related in any way to the operations of the Corporation, including, without limitation, the conduct of members, member teams and guests, provided such rules and regulations are not otherwise inconsistent with the letters patent of the Corporation or this By-law.

PROPOSED WORDING:

**Section 10 Board Responsibilities/Meetings**

13) Rules of Operation

a) Notwithstanding any other provision contained in this Bylaw, the Board shall have the power to pass without any confirmation or ratification by the members of the Association all necessary rules and regulations as they deem expedient related in any way to the operations of WMHA, including without limitation, the conduct of its members, member teams and guest, provided such rules and regulations are not otherwise inconsistent with the letters patent of the Association or this Bylaw. Such prescribed rules and regulations shall have the force and effect until the next AGM when they shall be confirmed at that annual general meeting. In the event of default of confirmation at such AGM the regulation shall, at and from that time, cease to have force and effect.

RATIONALE FOR CHANGE:

This ratification follows the guidelines and practices of the OMHA. (See OMHA Bylaw section 10.13)

**Proposed By-law Amendment #6**

Amendment to By-law Section 9.6 d (Board supported)

CURRENT WORDING:

**9**         **Procedure for Election of Directors**

6 Termination

d) Resignation

i) A member of the Executive or Board may resign his or her position by submitting a letter of resignation to the President of the Association. In doing so, this member will not be eligible to hold a subsequent position on the Executive or Board for a period of two (2) years.

PROPOSED WORDING:

**9**         **Procedure for Election of Directors**

6 Termination

d) Any termination of the member of the Executive or Board which occurs as a result of the above shall not be eligible to hold a subsequent positon on the Executive or Board for a period of seven (7) years.

e) Resignation

i) A Member of the Executive or Board may resign his or her position by submitting a letter of resignation to the President of the Association. In doing so, this member will not be eligible to hold a subsequent position on the Executive or Board for a period of two (2) years.

RATIONALE FOR CHANGE:

Updated to include clause specific for termination and the renumbering of subsequent by-laws.

**Proposed By-law Amendment #7**

Amendment to By-law Section 10.10a (Board Supported)

CURRENT WORDING:

**10**   **Board Responsibilities/Meetings**

10)  Conflict Of Interest

a) Every Director having an interest in a proposed or existing contract, transaction, business arrangement with the Association or any other matter relating to the Association, has a duty to provide a full and fair declaration of the nature and extent of the interest as follows:

PROPOSED WORDING:

**10**   **Board Responsibilities/Meetings**

10)  Conflict Of Interest

a) Every Director having an interest directly or indirectly, including but not limited to, by way of family including both immediate and extended in a proposed or existing contract, transaction, business arrangement with the Association or any other matter relating to the Association, has a duty to provide a full and fair declaration of the nature and extent of the interest as follows:

RATIONALE FOR CHANGE:

Updated to clarify members with perceived conflict of interest in contractual agreements

**Proposed By-law Amendment #8**

Amendment to By-law Section 11.3 (Board supported)

CURRENT WORDING:

**11**   **Officers and Responsibilities of Officers**

3)  Eligibility For Office

d)   The VP of Operations, Risk Management and OMHA Contact must have a minimum of one year service on the Representative committee.

PROPOSED WORDING:

**11**   **Officers and Responsibilities of Officers**

3)     Eligibility For Office

d)   The VP of Operations, Risk Management and OMHA Contact will preferably have experience in dealing with dispute resolution, code of conduct issues at some professional level and must have a minimum of one year service on the board.

RATIONALE FOR CHANGE:

Updated to reflect the current practices of the association (i.e. current title and experience preferred in dealing with dispute resolution).

**Proposed By-law Amendment #9**

Amendment to By-law Section 11.6 (Board supported)

CURRENT WORDING:

**11**   **Officers and Responsibilities of Officers**

6) Responsibilities of Directors

i) Referee In Chief

i) The Referee In Chief shall:

(1)   be responsible for providing qualified officials for all association home games;

(2)   liaison with the Budget Committee to establish fees for game officials for the upcoming season;

(3)   ensure refereeing complaints are addressed and solved in a timely fashion;

(4)   implement and maintain referee developmental programs;

(5)   ensure referees are scheduled for all games and accurate records maintained for payment;

(6)   carry out other duties as assigned by the Board, Executive Committee, or the President.

PROPOSED WORDING:

**11**   **Officers and Responsibilities of Officers**

6) Responsibilities of Directors

i) Referee In Chief

i) The Referee In Chief shall:

(1)   be responsible for providing qualified officials for all association home games;

(2)   liaison with the Budget Committee to establish fees for game officials for the upcoming season;

(3)   ensure refereeing complaints are addressed and solved in a timely fashion;

(4)   implement and maintain referee developmental programs;

(5)   ensure referees are scheduled for all games and accurate records maintained for payment;

(6) provide a monthly report to the Board, including, but not limited to:

* allocation of referee assignment hours
* overview of completed and planned supervisions & certifications of officials
* outline of any complaints addressed

(7)   carry out other duties as assigned by the Board, Executive Committee, or the President

RATIONALE FOR CHANGE:

Whether the Referee-In-Chief role is a Board or Appointed position, it is important that we all uphold the quality of our program and our officials and should support a transparent process into the ongoing support and development to officials of the game.

**Proposed By-law Amendment #10**

Addition to By-law Section 1 and Section 8.1 (submitted by Tom Carter)

CURRENT WORDING:

**1 Definition**

No current wording in Section 1 for “Bench Staff”

**8         Board of Directors**

1)     Composition

a)     Eligibility

i)        A Director:

(1)   shall be eighteen (18) or more years of age;

(2)   shall be a Member of the Association at the time of his or her election or appointment or becomes a member within 10 days of election;

(3)   shall remain a Member of the Association throughout his or her term of office.

PROPOSED WORDING:

**1 Definition**

*q)           “Bench Staff” means any person other than the Head Coach including, but not limited to, Assistant Coaches, trainers and managers, who regularly participate as team staff on the bench during games.  For clarity, managers who do NOT participate on the bench during games are NOT considered “Bench Staff”.*

**8         Board of Directors**

1)     Composition

a)     Eligibility

i) A Director:

(1)   shall be eighteen (18) or more years of age;

(2)   shall be a Member of the Association at the time of his or her election or appointment or becomes a member within 10 days of election;

(3)   shall remain a Member of the Association throughout his or her term of office.

*(4)   no person shall be eligible to serve on the board of the Association if they or a member of their immediate family hold the position of Head Coach of a representative level team of the Association.  No person shall be eligible to serve on the board of the Association if they are Bench Staff of a representative level team of the Association.*

*(5)  any person serving on the board of the association, or a member of their immediate family, shall not be permitted to hold the position the position of Head Coach of a representative level team of the Association for a period of 1 year following the conclusion of their tenure on the board*

*ii)  As a matter of transition, members currently serving on the board as of January 1, 2017 are exempted from items (4) and (5) above for the remainder of their current term on the board.*

RATIONALE FOR CHANGE:

In order to maintain the integrity, transparency, and reduce the possibilities of conflict of interest, the Association must define clear line between the board and those who serve as Head Coach and Bench Staff.

**Proposed By-law Amendment #11**

Amendment to By-law Section 12.10 (submitted by Jose Camacho)

CURRENT WORDING:

**12**   **Committees of the Board**

**10) Protest And Discipline Committee**

a)     The Protest and Discipline Committee shall consist of a Chairman and not less than four (4) other members of the Board of Directors, each of whom shall be appointed by the Board of Directors. There will be a minimum of 1 member from the Representative committee and one member from the House League committee. The Referee-In-Chief shall automatically be the chair of this Committee.

PROPOSED WORDING:

**12**   **Committees of the Board**

**10) Protest And Discipline Committee**

a) The Protest and Discipline Committee shall consist of a Chairman and not less than two (2) other members of the Board of Directors, each of whom shall be appointed by the Board of Directors. There will be a minimum of one (1) member from the Representative committee and one (1) member from the House League committee.

All Directors are eligible to sit on the Protest and Discipline Committee.

The Vice President of Risk Management will chair this committee and may at times delegate the Chair of the Committee prior to any Disciplinary Hearings.

RATIONALE FOR CHANGE:

Recommending changes to the Chair and structure of the **Protest and Discipline Committee in Section 12.10.**

*It is important for consistency of the process that one (1) role be responsible for this process. Over the years, the number of matters that require this committee have shifted to incidents relating more to the Harassment, Abuse and Bullying Policies. During incidents when issues are related to hockey matters, the VP of Risk may appoint other person(s) to adjudicate on the matter.*

**Proposed By-law Amendment #12**

Amendment to By-law Section **9.2.a, 9.2.b, 11.1.a, 11.6.i, 11.7.e** (submitted by Jose Camacho)

CURRENT WORDING:

**9**         **Procedure for Election of Directors**

2)     Board Positions

a)   The following positions shall be Members of the Board of Directors:

i. President;

ii. Past President;

iii. Vice President of Representative Hockey (1st VP);

iv. Vice President of Houseleague Hockey (2nd VP);

v. Vice President of Operations, Risk Management and OMHA Contact

vi. Secretary;

vii. Treasurer;

viii. Referee-in-Chief;

ix. Ice and Development Director

x. House League Director (6);

xi. Representative Director (4);

xii. House League Coordinator

b) The Board of Directors may appoint the following positions if required:

i) Sponsorship Manager;

ii) Tournament Convenor;

iii) Equipment Manager

iv) IT Manager.

c) The Board of Directors may appoint assistant(s) to Officers of the Association as the Board may determine by Resolution from time to time.

**11**   **Officers and Responsibilities of Officers**

1)     Elected/Appointed Directors

a) The Elected Directors shall be: President; First Vice President; Second Vice President; Secretary; Treasurer; Referee-in-Chief; OMHA Contact; Development Director; House League Director (6); Representative Director (4); HL Coordinator

b) The Past President shall hold such position ex officio.

c)  The Board of Directors shall appoint the following positions: Sponsorship Manager; Tournament Convenor; Equipment Manager; IT Manager.

d)  A Director shall not hold more than one Office, unless a vacancy cannot be filled.

6)     Responsibilities of Directors

i)  Referee In Chief

i) The Referee In Chief shall:

(1)   be responsible for providing qualified officials for all association home games;

(2)   liaison with the Budget Committee to establish fees for game officials for the upcoming season;

(3)   ensure refereeing complaints are addressed and solved in a timely fashion;

(4)   implement and maintain referee developmental programs;

(5)   ensure referees are scheduled for all games and accurate records maintained for payment;

(6)   carry out other duties as assigned by the Board, Executive Committee, or the President.

No Current wording for Section 11.7e (Referee-In-Chief)

PROPOSED WORDING **(changes to 9.2a, 9.2b, 11.1a, 11.6i, 11.7e)**

**9**         **Procedure for Election of Directors**

2)     Board Positions

a)     The following positions shall be Members of the Board of Directors:

i. President;

ii. Past President;

iii. Vice President of Representative Hockey (1st VP);

iv. Vice President of Houseleague Hockey (2nd VP);

v. Vice President of Operations, Risk Management and OMHA Contact

vi. Secretary;

vii. Treasurer;

viii. Director of Hockey at Large

ix. Ice and Development Director

x. House League Director (6);

xi. Representative Director (4);

xii. House League Coordinator

b) The Board of Directors may appoint the following positions if required:

i) Sponsorship Manager;

ii) Tournament Convenor;

iii) Equipment Manager;

iv) IT Manager;

v) Referee-in-Chief.

c) The Board of Directors may appoint assistant(s) to Officers of the Association as the Board may determine by Resolution from time to time.

**11**   **Officers and Responsibilities of Officers**

1)     Elected/Appointed Directors

a) The Elected Directors shall be: President; First Vice President; Second Vice President; Secretary; Treasurer; Director of Hockey at Large; OMHA Contact; Development Director; House League Director (6); Representative Director (4); HL Coordinator

b) The Past President shall hold such position ex officio.

c)    The Board of Directors shall appoint the following positions: Sponsorship Manager; Tournament Convenor; Equipment Manager; IT Manager.

d)    A Director shall not hold more than one Office, unless a vacancy cannot be filled.

6)     Responsibilities of Directors

 i)   Director of Hockey at Large

i) Director of Hockey at Large shall:

i) Carry out duties as assigned by the Board, Executive Committee, or the President,

ii) Shall attend all board meetings,

Iii) Assist in the selection of coaches, managers and trainers for the House and Rep leagues,

iv) Assist in the player registration,

v) To oversee the movement of players from house league to travel and other leagues or teams, such as select teams.

vi) Be a support person to both the House and Rep leagues in technical support

7)   Responsibilities of Appointed Positions

e)  Referee In Chief

i) The Referee In Chief shall:

(1)   be responsible for providing qualified officials for all association home games;

(2)   liaison with the Budget Committee to establish fees for game officials for the upcoming season;

(3)   ensure refereeing complaints are addressed and solved in a timely fashion;

(4)   implement and maintain referee developmental programs;

(5)   ensure referees are scheduled for all games and accurate records maintained for payment;

(6) provide a monthly report to the Board, including, but not limited to:

* allocation of referee assignment hours and payments per official
* overview of completed and planned supervisions & certifications of officials
* outline of any complaints addressed

(7)  carry out other duties as assigned by the Board, Executive Committee, or the President

RATIONALE FOR CHANGE:

Recommendation to change/move the current Board Position of Referee-In-Chief to an Appointed Position and replace the Board Position to Director Of Hockey at Large. Changes/additions to Sections 9.2.a).viii; 9.2.b); 11.1).a); 11.6).i); and 11.7.e), in the Bylaw are being proposed to reflect this change including additions and changes in the responsibilities of these two positions.

The role of Referee in Chief (RIC) compared to the rest of the Board has no significant benefit to the membership. By replacing the elected position with a Director who will be involved in hockey operations would serve the membership better.

The role of RIC is not consistent throughout the hockey world. In fact the OMHA, our governing body has that position identified as a Technical Director an appointed one.

Other associations have this role blended with a referee scheduler as the role in essence is a liaison role between the referees who are the responsibility of the OMHA and not WMHA. Therefore, the RIC role as it stands is really redundant and can be better utilized to deliver a better hockey program to all members and to assist with other initiatives.