

Constitution of Toronto Muddy York Rugby Football Club

Last Amended/Ratified: December 6, 2019

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Article 1. Mission Statement

- 1.1** To provide an outlet whereby gay, lesbian, bisexual, transgender and gay positive individuals can play rugby in an environment free from all forms of harassment or discrimination and which encourages fair play, openness and friendship.
- 1.2** To provide a competitive and social atmosphere which promotes the growth of leadership, coaching and playing skills, as well as the building of friendships and a sense of community.
- 1.3** To provide a unique environment that encourages interaction and learning among players of all skill levels.

Article 2. Basic Policies

- 2.1** The MYRFC will institute and regulate the rules of this constitution, approved in September 2004, and as amended.
- 2.2** Membership confidentiality will be honoured and any dissemination of any member's name, address, phone numbers, email and/or other communications will be at that member's discretion, in accordance with governmental legislation.
- 2.3** The MYRFC shall be non-profit, non-sectarian, and non-partisan. The MYRFC will therefore have no political affiliation. It will not participate in any political issues, except where the existence/function of the Club is jeopardized. Should the Executive Board want to be become involved in an issue, the decision must be taken to the general membership for discussion and voted upon. If the issue is voted in the affirmative, any member who does not agree with the stand of the Club will have the opportunity to have their name removed from the membership list.
- 2.4** The MYRFC will allow for commercial and/or charitable affiliation. However, any approval of such must have prior approval of the Executive Board before being ratified.
- 2.5 Meetings.**
 - 2.5.1** The Executive Board is to meet, generally, once per month, at minimum 9 times annually. The Executive Board may schedule additional meetings as called upon by the President, the President's delegate or a simple majority of the Executive Board.
 - 2.5.2** General meetings are to be held, at a minimum, two times per year. This requirement is inclusive of one General Meeting (GM) and an Annual General Meeting (AGM). The President, the President's delegate or a simple majority of the Executive Board may call additional general meetings if the situation arises.
 - 2.5.3** Quorum at General Meetings and Annual General Meetings shall be as follows: a minimum of 20% of eligible voters must be present at the meeting. Ratification of ordinary motions occurs when there is a simple majority vote of members in good standing present at the meeting. Ratification of constitutional motions or amendments occurs when there is a two-thirds majority vote of members in good

standing present at the meeting (for details on Constitutional Changes, see Article VII, Section 2 (7.2).

- 2.6** The membership shall be encouraged to assist in all activities of the Club, as well as special events.
- 2.7** The fiscal year for MYRFC shall be consistent with a calendar year, beginning January 1, 12:00.00 AM ending December 31, 11:59.59 PM of the same year.

Article 3 Membership

- 3.1** Membership in the Club shall be open to any person regardless of sex, gender, race, religion or sexual orientation. Membership is open to individuals who are of an insurable age to play in adult rugby during the playing season (i.e. 19 years of age for the Rugby Canada insurance form in 2004- 2005 playing season). All members must complete and sign an application form and injury waiver form exonerating all members, officials and Executive Board members from liability for any injury incurred while participating in or attending Union games or functions. They must also sign the application /waiver form from Rugby Canada.
- 3.2** There are five (5) categories of membership:
- 3.2.1 Player Member** – is a person who elects to play, may serve in any MYRFC capacity and retains voting privileges. A qualifying player membership must obtain and retain the appropriate insurance coverage, registration and pay all applicable fees through MYRFC to Rugby Canada and the Ontario Rugby Union.
- 3.2.2 Non-Playing Member** – is a person who supports and helps with MYRFC activities, but elects not to play, may not stand for election and does not retain voting privileges. The non-playing membership is primarily defined by MYRFC and does not include a Rugby Canada and Ontario Rugby Union registration. Sponsors and supporters, who are in good standing as non-members, will receive all benefits of membership except for voting privileges and may not stand for election.
- 3.2.3 Temporary or Visiting Member** - A person who elects to play rugby with MYRFC on a temporary or visiting basis (for example, a two week visitor registration, a winter practice registration or a person who is registered with another club) may do so by obtaining the appropriate insurance coverage, registration and pay all applicable fees through MYRFC to Rugby Canada and the Ontario Rugby Union. The person may support and help with Club activities, but may not stand for election and does not retain voting privileges. This type of membership is not considered open and should only be extended for the defined period where it is in the best interest of MYRFC and has the general approval of the President, Club Secretary and/or Fixtures Secretary. Applicable to all membership types, all requirements and/or restrictions that may exist from Rugby Canada and/or the Ontario Rugby Union relating to or governing any type of membership defined above (for example, the general use of, time limits or restrictions, renewal ability, etc.) will be recognized and applied.
- 3.2.4 Lifetime Member** - This is a special category that is given at the discretion of the Club's Executive Board. It recognizes a member, past or present, who has given special/exceptional service to Muddy York RFC. The recipient will receive an honorary Administrative Membership every year in perpetuity. The recipient is to be inducted at the annual awards dinner. It is to be noted that this is not necessarily an annually presented award.”

- 3.3** Each eligible member of MYRFC in good standing holds one vote for motions and elections at meetings.
- 3.4** Each eligible member of MYRFC in good standing is eligible to run for election to the MYRFC Executive Board and may nominate another MYRFC member for election to the MYRFC Executive Board.
- 3.5** All members must pay membership fees as determined by the executive and by the set deadline to be determined. Failure to pay will result in suspension of playing privileges.
- 3.6** The MYRFC executive may deny any person membership in MYRFC in order to serve the best interests of the Club and its members; or for non-payment of fees for reasons not disclosed to the Club.
- 3.7** The MYRFC will not refuse an application because of financial hardship. A request for reduced fees must be made in writing to the Executive Board. This reduction will be based upon a means test established by the Executive Board.
- 3.8** Any eligible member in good standing may request an opportunity to view or question the financial records of the Club. The Treasurer must present the records to the member(s) at an executive meeting within 15 days of the request.

Article 4 Member Code of Conduct

4.1 The MYRFC is committed to building a competitive, social and diverse club. This vision is realized through a code of conduct that all members must adhere to, which are expressed through tenets of:

- inclusion;
- mutual respect and consideration;
- fair and safe play on the pitch; and
- providing a harassment-free environment.

4.2 Inclusion:

(a) The MYRFC and its members will not discriminate on the grounds of ethnicity, ancestry, race, nationality, sexual orientation, HIV status, family status, marital status, religion, or any ground set out under the Ontario Human Rights Code, in any matter; nor on the grounds of gender identity, gender expression, age, physical ability or disability except as a necessary consequence of the requirements of the sport and of the rugby union membership categories in which the club participates.

4.3 Mutual respect and consideration:

- (a) The MYRFC is committed to providing an environment in which everyone, within or outside the club, is treated with respect and dignity. Members shall conduct themselves in a manner that reflects positively upon themselves, their teammates, and the club – whether that is in interacting with teammates, other rugby teams, coaches, match officials, spectators, sponsors or members of the community at large.
- (b) Members shall engage in sportsmanlike conduct and refrain from engaging in unsportsmanlike conduct, not only during athletic competition but at any time when affiliated with the club or its sponsors. For these purposes:
- i. sportsmanlike conduct includes showing respect and consideration in language and behaviour towards all, including but not limited to: match officials, coaches, teammates, opponents and spectators.
 - ii. unsportsmanlike conduct includes inappropriate behaviour in language, gesture, or action that demeans, physically intimidates or endangers others.
- (c) Members must recognize their affiliation with the MYRFC and adhere to the general rules of this code of conduct when posting and engaging in discussion in respect of the club and/or related activities online, including on social networking platforms. Misrepresentation or behaviour that directly conflicts with the mission and guidelines set forth by the club may result in disciplinary action.
- (d) No member shall represent the MYRFC in any official capacity or as

spokesperson for the club or its operations without the express permission of the MYRFC Executive Board.

- (e) At times and events specified by the MYRFC Executive Board or coaches, it is not appropriate for individuals, including members or spectators of MYRFC, to make sound or image (including video) recordings of club members. Any individual not in compliance will be asked to permanently delete the recordings and leave the event and may be subject to further disciplinary action.

4.4 Fair and safe play on the pitch

- (a) Fair play espouses striving to win, but not at all costs. During all matches and practices, members are expected to abide by the rules and regulations of the game, in both spirit and letter, as set out by the rugby union-governing bodies, match officials, and coaches. Members will abide by and respect match officials' decisions, and refrain from making direct commentary to match officials, other than through the team captain or as expressly permitted by the officials. Playing members will refrain from the use of physical force or behaviour that reflects an intentional disregard for the safety of other players outside of the rules of the game.
- (b) Coaches are expected to demonstrate a standard of care for each individual player's well-being, commensurate with the individual's abilities and the standards of the sport. To foster an environment of safe play, it is expected that coaches will comply with and understand the continuously changing rules of the game and attempt to improve coaching techniques by availing themselves of educational opportunities when reasonably available.
- (c) Playing members are expected to abide by the directions and/or decisions of medical personnel and coaches, as to emergency care and restrictions on play, as well as adhering to safe healthcare practices in any medical situation that may arise.

4.5 Providing a harassment-free environment

- (a) Every member has the right to participate in an environment free from harassment. The MYRFC does not tolerate harassment in connection with any of its activities, whether internal or external. All members are expected to conduct themselves accordingly.
- (b) Harassment includes any behaviour fitting one or more of the following criteria:
 - i. communication, conduct or gesture that is insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals; and would be considered by a reasonable person to create an intimidating, humiliating or uncomfortable environment;

- ii. behaviour involving unwelcome sexual advances, requests for sexual favours or other communication (verbal or written) or physical conduct of a sexual nature when such conduct might be expected to cause unreasonable embarrassment, insecurity, discomfort, offense or humiliation to another person or group; or submission to such conduct is made, implicitly or explicitly, a condition of participation in a club-related activity, or as a basis for any club-related decision.

4.6 Violations of the code of conduct

- (a) If an individual believes that they have a valid complaint about a member of the MYRFC that is related to the code of conduct, whether on their own behalf or on behalf of another individual, that individual is encouraged to contact the MYRFC Executive Board, which will at its discretion initiate a process to investigate and respond to the complaint in a timely manner.
- (b) The Executive Board will handle complaints received pursuant to clause 4.6(a) with privacy, courtesy and earnestness and without prejudice.
- (c) At its discretion, the Executive Board may respond to a complaint or violation of the code of conduct in a manner the Executive Board deems proportionate to the infraction. This may include, but is not limited to, one or more of the following:
 - i. a dismissal of the complaint;
 - ii. a request for a formal apology;
 - iii. a suspension or probation of playing privileges;
 - iv. temporary or permanent expulsion from the club; or
 - v. fines or restitution towards the wronged party.

Article 5. The Executive Board

5.1 The Executive Board of the MYRFC shall consist of the following positions:

- (a)** President
- (b)** Vice-President
- (c)** Treasurer
- (d)** Club Secretary
- (e)** Fixtures Secretary
- (f)** Recruitment Coordinator
- (g)** Sponsorship Coordinator
- (h)** Fundraising Coordinator
- (i)** Communications Coordinator
- (j)** Tournament Coordinator
- (k)** Social Coordinator

5.2 The MYRFC Executive Board will be elected at the Annual General Meeting (AGM) of the Club by popular and public vote. Voting will be by secret ballot. There will be no voting by proxy.

5.3 Elections will be held in descending

order from:

- 1 President
- 2 Vice-President
- 3 Treasurer
- 4 Club Secretary
- 5 Fixtures Secretary
- 6 Recruitment Coordinator
- 7 Sponsorship Coordinator
- 8 Fundraising Coordinator
- 9 Communications
- 10 Coordinator
- 11 Tournament
- Coordinator
- 10 Social Coordinator

5.4 The Executive Board will appoint an Elections Officer one month prior to the AGM. Nomination forms for each position will be distributed by the Elections Officer. Any MYRFC eligible member in good standing is eligible to be nominated for any position by another member in good standing.

5.5 The Executive Board will appoint and publicize the name of the Elections Officer, at a minimum, 30 days prior to the Election Day. The Elections Officer may not be a current member of the Executive and cannot stand for election for that year.

5.6 The Secretary will surrender to the Elections Officer a list of eligible voters and the prepared ballots. The ballots may not include any additional information other than Executive Board approved referendum and constitutional amendments.

5.7 The Elections Officer will ensure that each MYRFC member present at the AGM is listed on the list of eligible voters and receives one ballot to

cast their vote for each position, referendum item or constitutional amendment. Assisted by two non-candidate members, acting as deputy returning officers, the Election Officer will collect the ballots, tabulate and post the results. Candidates will be allowed to appoint a scrutineer. It is within the discretion of the Elections Officer and scrutineers to determine spoiled ballots. The Elections Officer will hold the ballots, including those not used, for 30 days subject to any challenges, after which they will be destroyed.

- 5.8** Where there is no contest for a position, the nominee shall be put to a confidence vote of 'yes' or 'no' and must secure a majority yes in order to hold the position.
- 5.9** Except for the President, an eligible member of the Club may be elected and/or acclaimed for up to two positions on the Executive Board. Where one person holds more than one position they shall only have one vote as a member of the Executive Board.
- 5.10** Where one of the positions in Section 5.1 remains unfilled at the conclusion of the elections, or the person elected to one of the positions in Section 5.1 steps down from their position during the term of office, the Executive Board may appoint a substitute to hold that office. The substitute appointment shall hold their office until the next quarterly general meeting, at which time their appointment will require ratification by the voting membership of the MYRFC. Until such time as an appointment is made, the duties and responsibilities of the vacant Executive Board position(s) shall be distributed and assigned by the Executive Board members.
- 5.11** The outgoing Executive Board will call meeting within the period after the AGM, and before the new Executive Board term begins, to transfer all records pertaining to MYRFC to each newly elected Executive Board Member and familiarize them with the Club's existing processes and procedures. The outgoing Treasurer will arrange for all necessary bank documents to be signed by the incoming President, Treasurer and one (1) other designated Executive Board member to be designated by the incoming Executive Board effective the first day of the new Executive Board term.
- 5.12** The Executive Board shall define their Term in Office to be consistent with the Club's Fiscal Year. Each member of the Executive Board must possess and retain a Player or Administrative membership (Refer to Section 3.2) for their entire Term in Office. Where an Executive Board member elects to resign their position before the end of their term but following the AGM general election, a member-elect may assume the vacated position immediately.
- 5.13** The Executive will hold scheduled meetings. Each Executive Board member will have one vote. A quorum will be defined as 50% (fifty percent) of the Executive members. The President or their appointee will chair meetings. A copy of the minutes will be distributed to each Executive Board member. Once approved by the Executive Board, the minutes will become a permanent record of MYRFC. Minutes shall be

made available to the general membership following their approval in a manner approved by the Executive Board.

- 5.14** All motions brought to an Executive Board meeting shall be introduced by an Executive Board member, seconded by an Executive member and voted on after discussion by all Executive Board members present. The minutes of the meeting will indicate the motion, forwarder, secondary and the result of the vote. Votes will not be recorded by name.
- 5.15** All meetings of the Executive Board shall be publicized and open to the membership. Meetings or portions thereof may be conducted in camera at the discretion of the Executive Board.
- 5.16** The agenda shall be determined by the Executive Board. Members have the right to request inclusion of an item on the agenda subject to the approval of the Executive Board.
- 5.17** In addition to the duties outlined below or as modified from time to time, it is the responsibility of all members of the Executive to be present regularly at Executive Board meetings, to take an active role in the discussion of issues brought before the Executive Board members and to contribute to the implementation of Club policies, goals and activities.
- 5.18** The Executive Board will formulate financial forms and operating rules.
- 5.19** The Executive Board will formulate (and amend as necessary) guidelines for the conduct of members. These guidelines (Code of Conduct) will stand apart from the Constitution. A simple majority at a properly constituted general membership meeting shall approve any amendments to the 'Code of Conduct'.
- 5.20** The duties and responsibilities of the ten (10) members of the Executive Board shall be:
 - (a) President.**
 - i. Oversee the best interests of the Club.
 - ii. Work with other members of the Executive to ensure that the short and long term goals of the Club are met.
 - iii. Ensure the continuity and growth of the Club.
 - iv. Chair Club, Executive Board and General Meetings.
 - v. Act as one of the three signing officers for the Club and its bank account(s) in concert with the Treasurer.
 - vi. During Club meetings, Executive meetings and GM's, the President shall be designated as Chair. In the event of a tie vote, the Chair shall have a second, deciding vote.
 - vii. The President shall have the power to assign additional duties to the portfolios of any MYRFC Executive member in the best interests of the Club.
 - viii. Oversee all MYRFC sponsored tournaments.
 - ix. Act as a liaison to inform the general membership of the outcome of Club, Executive meetings and GM's.
 - x. The President must endeavour to maintain the continuing financial viability of the Club through fiscal responsibility. The President must review the budgets and bank reconciliation

- monthly and report any projected year-end financial shortfalls to the members as soon as they are known.
- xi. Oversee all media relations pertaining to the Club or Club-affiliated or sponsored events as directed by the Executive Board.
 - xii. Co-ordinate the promotion of Club events.
 - xiii. Responsible for providing information to the Executive Board and membership about external organizations that may benefit the Club (e.g. IGR, OutSports, Team Toronto, etc.)
 - xiv. The President is to be considered the representative of the Club on external organizations, unless the Constitution or the President designates another.
 - xv. Responsible for the investigation of any conduct unbecoming of any member or Executive Board member.

(b) Vice-President

- i. Be responsible for chairing meetings if so requested by the President, for reasons of absence or potential conflict.
- ii. Assist the President and be responsible for duties and responsibilities delegated from them.

(c) Treasurer.

- i. Shall be responsible for maintaining a working financial statement of the Club's income, including all tournaments and sponsored events, accounts receivable and accounts payable.
- ii. Act as one of the three signing officers for the Club and its bank account(s) in concert with the President and one (1) other Executive Board member. The Treasurer must be one of the signing officers for all Club disbursements.
- iii. Act as sole authority for making deposits and withdrawals to and from the Club's bank account(s).
- iv. Prepare an annual "draft" budget for approval within 30 days of the new Executive taking office.
- v. Present monthly budget updates and financial statements to the Executive Board.
- vi. Prepare a statement of all receipts and disbursements for approval at each Executive Board meeting.
- vii. Assist in the preparation of budgets for any Club events.
- viii. Receive a statement of accounts for all events no later than fourteen (14) days after the event.
- ix. Prepare a financial statement for the year in office. The Executive Board can, if deemed necessary, call for an official audit of the financial records. An up to-date financial statement will be presented to the membership at the AGM and midway through the playing season.
- x. Must endeavour to maintain the continuing financial viability of the Club through fiscal responsibility.
- xi. Must report any projected year-end financial shortfalls to the members as soon as they are known.

(d) Club Secretary

- i. Responsible for the Club's permanent records, including archives, a list of membership and the taking of minutes of General meetings, Executive Board meetings and the AGM.
- ii. Distribute, or make available, copies of the minutes of each Executive Board meeting for each Executive Board member within one week of that meeting.
- iii. Responsible for the planning and organization of the Club's meetings and elections, including preparation and dissemination of materials to the members and acceptance of nominations.
- iv. Assist the President with Club and Executive Board correspondence. Assists the Chair in recording speaker sequence during meetings.
- v. Keep a record of the Club's property and non-monetary assets.

(e) Fixtures Secretary

- i. Responsible for the dissemination of the rules of play and any changes to the rules that may be implemented during the year to officials and Club Captain(s).
- ii. Book practice time, referees and timekeepers, co-ordinate the contract for it with the President or Vice President.
- iii. Schedule the Club's games and practices. This would include, but not be limited to:
 - 1) To answer e-mails and phones about the schedule, location and cancellations of practices.
 - 2) To receive "regrets e-mails" from players who cannot attend the practice (ideally, a day or two before the practice).
 - 3) To decide on last minute cancellations, when he receives too many "regrets", when there's a thunderstorm alert, or any other unexpected event.
 - 4) To keep people informed of such cancellations on our online forum and calendar.
- iv. Responsible for monitoring the games for the enforcement of Rugby Union rules and bylaws. Where disciplinary action is required, the Fixtures Secretary will advise the Executive Board and organize an investigation as per the Code of Conduct.
- v. Aid in the co-ordination of MYRFC involvement in out-of-town tournaments.
- vi. The Fixtures Secretary must endeavour to maintain the continuing financial viability of the Club through fiscal responsibility.

(f) Recruitment Coordinator.

- i. Responsible for recruiting new and potential players.
- ii. Responsible for maintaining relations with new players and being their first point of contact.

- iii. Responsible for maintaining a record of new recruitment efforts and channels.=.
- iv. Work with the Treasurer manage the Club's recruitment budget.

(g) Sponsorship Coordinator.

- i. Responsible for recruiting new and potential sponsors.
- ii. Responsible for maintaining relations with sponsors.
- iii. Responsible for drafting, finalizing, coordinating the authorization for, signing and upholding sponsorship contracts which have been approved by the Executive Board.
- iv. Work with the Treasurer and Fund-raising Coordinator to achieve Club budget goals.

(h) Fund-raising Coordinator.

- i. Responsible for organizing fund-raising events.
- ii. Responsible for maintaining relations with potential fund-raising event venues.
- iii. When appropriate, coordinate with the Sponsorship Coordinator to host events at sponsor venues and locations.
- iv. Work with the Treasurer and Sponsorship Coordinator to achieve Club budget goals.

(i) Communication Coordinator.

- i. Liaison with media (print, television, radio, and electronic mediums).
- ii. Responsible for the preparing and publishing of news releases surrounding Club events.
- iii. Coordinate all marketing and promotional tools and initiatives, including: Muddy York website, brochures, posters & flyers for events, business cards, general advertising, promotional apparel and products.

(j) Tournament Coordinator.

- i. Responsible for organizing the logistics of home and away tournaments, including, but not limited to:
 - a. coordinating travel, accommodation and venues.
 - b. working with the Fixtures Coordinator to ensure that all necessary Club/Union documentation is obtained.
 - c. working with the Treasurer, Sponsorship Coordinator, and Fund-raising Coordinator to ensure that all necessary costs will be obtained and/or accounted for.

(k) Social Coordinator.

- i. Responsible for organizing regular Club social events to facilitate growth, moral, and camaraderie among members.
- ii. Responsible to ensure that events are within members' interests

and values.

5.21 Subcommittees.

As necessary, Executive Members may recruit volunteers, Club members or non-affiliated persons, to subcommittees to assist in their duties.

5.22 Conflict of Interest

- i. Individuals elected to Executive positions of Muddy York have a fiduciary duty to act on behalf of the best interests of the club and its membership. A conflict of interest may occur when a direct or indirect personal gain, benefit or advantage is given to or received by a member of the Executive, or their family member. The existence of a pecuniary interest, even one that has not been confirmed, may give rise to a conflict of interest situation. In the case of an unavoidable Conflict of Interest, the Executive member will formally declare it at a monthly executive meeting and a brief but clear summary of their explanation will be recorded in that meeting's minutes
 - ii. This conflict of interest policy is intended to ensure the highest business and ethical standards and the protection of the integrity of the club and executive board. Failure to adhere to these expectations will result in a review of misconduct or termination at the discretion of the entire Executive board.
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- i. Executive Board Member Misconduct Protocol Members of the executive who fail to put forth an acceptable effort in fulfilling the duties and responsibilities of the position as outlined in this constitution or are not meeting the expectations of fellow Executive Board Members, will receive a formal warning of misconduct. Misconduct warnings can fall under two classifications, either Verbal and Written Warnings depending on the severity.
 - ii. Verbal Warning: in the event that there is a violation of the bylaws, or an executive fails to meet their duties, a verbal misconduct warning may be given. The process for a verbal warning is as follows:
 - a. A complaint may be made to the President or any other member of the Executive and an investigation will follow, (if it is about the President, the complaint is sent exclusively to Secretary).
 - b. Once an investigation is completed, the verbal warning will either be issued or denied.
 - c. The Secretary shall keep digital records of all verbal warnings issued.
 - d. If an individual amasses three verbal warnings, they are subject to written warning, as stated in the following section.
 - iii. Written Warning: In the event the severity of the incident in

question is above that of a verbal warning, or if three (3) verbal warnings have been given, a written letter of misconduct will be given to the individual after an investigation by the Board. In the event the letter of misconduct is to be given to the President, the Secretary will conduct the investigation on their own. Following these warnings, if no noticeable improvement occurs, the individual will be subject to a motion of impeachment.

- iv. Motion of Impeachment of an Executive Board Member (other than President)
 - a. A motion of impeachment for any Executive Board Member can be forwarded by any board member based on an Executive Board member motion in the following scenarios: if the executive member has received two written warnings of misconduct, or the incident is of sufficient severity (for example, in the cases of Sexual Harassment or Conflict of Interest complaints).
 - b. Once the motion of impeachment has been forwarded, the individual will be provided with one final opportunity to address the Executive Board and provide explanation for the misconduct in question.
 - c. Once the individual has addressed the Executive Board, they will be required to leave the room while a vote of conviction is made and the outcome of the impeachment motion is decided.
 - d. The vote of conviction is subject to quorum voting rules.
 - e. If convicted, the individual is relieved of their duties as an Executive Board Member that individual is required to return all Muddy York information, materials and property within 48 hours of dismissal.
 - f. If not convicted and the negative behavior continues, a formal letter of dismissal shall be issued by the President and Secretary.
- v. Motion of Impeachment of the President
 - a. A motion of impeachment for the President can be forwarded by any board member based on an Executive Board member motion in the following scenarios: a formal petition of recall containing the signatures of one-third (33%) of active members, if the President has received two written warnings of misconduct, or the incident is of sufficient severity (for example, in the cases of Sexual Harassment or Conflict of Interest complaints).
 - b. Once the motion of impeachment has been forwarded, the President will be provided with one final opportunity to provide explanation for the misconduct in question.

- c. In the case of a formal petition organized by active members, the President's final explanation will be held at a formal meeting organized by the Secretary. The President will be required to leave the room while a vote of confidence is made, and the outcome of the impeachment motion is decided. Dismissal of the President will require a non-confidence vote of 50% plus 1% of active members in attendance.
- d. Once the President has addressed either active Muddy York players or the Executive Board depending on motion to impeach method, they will be required to leave the room while a vote of confidence is made and the outcome of the impeachment motion is decided.
- e. The vote of confidence is subject to quorum voting rules.
- f. If convicted, the President is relieved of their duties and is required to return all Muddy York information, materials and property within 48 hours of dismissal.
- g. If not convicted and the negative behavior continues, a formal letter of dismissal shall be issued by the Secretary And Captain on behalf of the board.
- h. After being dismissed, a Chief Returning Officer will be appointed by the Executive for the Election of a new President. The rules of conducting an election outlined in this constitution shall prevail.

Article 6. Adherence to and Enforcement of Union Laws

- 6.1** MYRFC and all of its members will be governed by the Union Laws established by Rugby Canada pertaining to games, including game suspensions. These laws will be made available to each Club member prior to the beginning of the season.

Article 7. Amendment to the Constitution

- 7.1** Proposed amendments to the Constitution will be submitted to the MYRFC Executive Board. The amendments will be distributed and/or made available to all members in good standing, at a minimum, 7 days prior to a General Meeting. A minimum of 20% of eligible voters must be present at the meeting to change the Constitution.
- 7.2** The Constitution may be amended, repealed, altered, suspended or ratified in whole or in part by a two-thirds majority vote of members in good standing present at this meeting. If the amendment is adopted it will be so recorded by the Secretary and become effective immediately unless otherwise stated in the amendment. Any changes to the Constitution are to be posted on the Club's Web Site and communicated in an appropriate manner within 30 days of the vote.
- 7.3** The Appendices to the Constitution may be modified by a majority vote of the full Executive Board.

Article 8. Dissolution

- 8.1** If the Club dissolves, then all of the property and assets of the Club shall go to one or more non-profit charitable organizations whose goals are consistent to those of the Club. The assets and property so transferred shall be used solely for charitable purposes.
- 8.2** If the Club dissolves, no portion of the funds, assets or property of the Club shall be distributed to any of the officers, members or sponsors of the Club.

Article 9. Severability of Provisions

- 10.1** The invalidation of any provision of the Constitution or Appendices shall not invalidate, negate, or detract from the enforcement of any other provision herein stated.

Article 10. Coaching Staff

- 10.1 Team Coach is considered an official club position and is deemed critical to the success of club as a whole, however it is not considered an Executive Board member and does not retain the rights and privileges as such. The person fulfilling these duties is expected to attend and participate in Executive Board meetings, but does not retain a binding vote on club matters.
- 10.2 Coaching staff are hired by the Executive Board with number of staff, all terms, requirements, and remuneration set by the Executive Board.

Article 11. Provision for Team Manager

11.1 Description:

- (a) Team Manager is considered an official club position and is deemed critical to the success of club as a whole, however it is not considered an Executive Board member and does not retain the rights and privileges as such. The person fulfilling these duties is expected to attend and participate in Executive Board meetings, but does not retain a binding vote on club matters.
- (b) Team Manager has a direct reporting relationship to the President, is expected to have considerable interaction with the Coaching Staff and Executive Board Members and at times may be called upon pertaining to responsibilities and obligations. The term of office for Team Manager shall be consistent with that of the Executive Board.
- (c) Team Manager is expected to be an example to all team members and shall strive to implement high standards of behaviour both on and off the field.

11.2 Responsibilities:

- (a) The Team Manager is responsible to:
 - i. assist the Executive Board Members in coordinating and operating team events such as (but not limited to) those for recruitment, fundraising, marketing and media awareness
 - ii. assist with the fixtures secretary in coordinating attendance for practices and games and assist in coordinating equipment for those including but not limited to game balls, pads, water bottles, emergency health kit and jerseys
 - iii. assist the Team Captain in coordinating team building after games, both at home and away with the other team
 - iv. as delegated by the President, act in the role of liaison or as a representative with other organizations
 - v. to be available for and attend all home and away games, practices and other deemed events
 - vi. to maintain a full player membership in good standing for the length of the entire season
 - vii. to maintain behaviour that sets an example for the club members to follow

11.3 Selection of a Team Manager:

- (a) The Executive Board may choose any eligible full player member to fulfill these responsibilities. Selection of the individual may be delegated to a vote of general membership or another method decided by the Executive Board.

11.4 Delinquency of Responsibilities:

- (a) Any member of the club may raise concerns relating to a Team Manager not fulfilling their responsibilities as outlined to the Executive Board verbally or in writing. The Executive Board will then

discuss the matter and address any outstanding issue(s) as deemed appropriate. In the circumstance where no resolution may be identified and/or is not adhered to, the Executive Board has the ability through majority vote to remove the Team Manager from their position.

- (b) In the case where a member is removed from Team Manager, the President to choose any eligible full player member to fulfill these responsibilities for the remainder of the term, ratified by a majority vote by the Executive Board.