

# HAMILTON BASEBALL UMPIRES ASSOCIATION



## CONSTITUTION AND BY LAWS

CREATED: FEBRUARY 26, 2014

PRESENTED: APRIL 28, 2014

LAST AMENDED: Nov 10, 2019

## **Article One – Name**

- 1.1 The name of this organization shall be the Hamilton Baseball Umpires Association, hereinafter referred to as the "HBUA."
- 1.2 The HBUA shall adopt the logo below to represent the visual identity of the association.



## **Article Two – Affiliations**

- 2 The HBUA will remain a local member of the HDBA (Hamilton District Baseball Association) and in turn an extended member of the OBA (Baseball Ontario).

## **Article Three – Objectives**

- 3 The objectives of the HBUA are:
  - 3.1 To provide the highest quality umpiring within the city of Hamilton through the consistent training and development of our members.
  - 3.2 To provide support to the local associations within the HDBA with our umpiring services as well as to aid in the training and development of their umpires if requested.
  - 3.3 To foster respect for the game of baseball through maintaining the highest quality of umpiring standards amongst our members.

## **Article Four – Membership**

- 4 The members of the HBUA shall consist of
  - 4.1.1 Executive Board: elected and appointed members of the board
  - 4.1.2 Active Members: those who fulfill the requirements of membership (as described in 4.2.1) and who are qualified to officiate games.
  - 4.1.3 Honorary Members: those who are recognized by the Association for outstanding service and who wish to help the Association but not officiate.
  - 4.1.4 Life members: Members nominated by the Executive Committee and accepted by majority vote at the yearly AGM in reward for outstanding service and dedication to baseball, umpiring and to the Association.

## 4.2 Membership requirements

4.2.1 Active members dues must be paid in full for the current season and attend a Baseball Ontario umpires clinic (if required) or its equivalent in that season, and write an exam or its equivalent in that season. There is no minimum age for a member, but they must be eligible to officiate in the current leagues served by the HBUA.

4.2.2 Honorary Members pay no dues, as they are not active umpires. However, they may serve as committee chairs or sit on committees. They cannot be members of the Executive and have no voting privileges.

Designations for Honorary members are granted by the Executive with a 2/3 majority vote of the Executive required for designation to be approved.

4.2.3 Life members may be active or retired Members who have provided long and outstanding service to baseball, umpiring and the Association. They are not required to pay dues, however if they are active they are required to be carded by Baseball Ontario. They may sit on the executive and have full voting privileges.

## **Article Five – Executive**

5.1 The Executive of the HBUA will be made up of the following:

President  
Vice-President  
Secretary  
Treasurer  
Director (2)  
Past President

5.2 All members of the Executive must be a qualified member of the HBUA. In order to be considered to serve on the executive, a member of the HBUA must be nominated for any position. Should there be multiple nominations for one position, all members present during the meeting will cast a ballot until one nominee receives a majority vote. Ballots will be counted by any one member of the current executive and two members of the body who are not nominated for the position. Members of the executive maintain full nominating and voting privileges. No member may nominate or vote for themselves for any position.

5.3 All positions on the executive are elected for a 1-year term, with the exception of the Treasurer position which will be appointed by that year's Executive. The term of the current year's executive shall be from the AGM of the electing year to the election at the AGM of the following year. Elections will take place at the Annual General Meeting. Nominations will be taken from the floor at the meeting. Nominees if not present at the AGM must notify the secretary in advance of the AGM of their willingness to stand for a position.

5.4 Executive Duties

5.4.1 The President

The President shall:

- (a) Preside over all meetings.
- (b) Ensure that all meetings are conducted in accordance with this Constitution and Bylaws and with Roberts Rules of Order.
- (c) Rule on questions of order.
- (d) Represent the HBUA at any Baseball Ontario meetings or any other related meetings that may affect the HBUA.
- (e) Conduct any correspondence with HDBA or Baseball Ontario as required. This will include, but will not be limited to, items such as proper marking and equipping of fields, suspensions relating to player/fan/coach/team officials treatment of umpires, suspension of HBUA members.
- (f) Perform any other duties as lawfully directed by the executive.
- (g) Assign duties as required to members of the executive.

#### 5.4.2 The Vice-President

The Vice-President shall:

- (a) Preside over meetings in the absence of the President.
- (b) Take over any of the President's duties in the absence of the President.
- (c) Perform any other duties as lawfully directed by the President.

#### 5.4.3 The Secretary

The Secretary shall:

- (a) Take minutes of all meetings.
- (b) Provide copies of past meetings' minutes to all members of the Executive.
- (c) Keep attendance records at meetings
- (d) Compile a list of all members and their current year level and status.
- (e) Maintain a record and copies of all correspondence received by the HBUA.
- (f) Perform any other duties as lawfully directed by the President.

#### 5.4.4 The Treasurer

The Treasurer shall:

- (a) Present a Financial Report at each Annual General Meeting.
- (b) Maintain a record and copies of all financial correspondence received by the HBUA.
- (c) Maintain the bank account for all HBUA funds.
- (d) Pay all bills and disburse funds as directed by the executive.
- (e) Perform any other duties as lawfully directed by the President.

Payment of any disbursements incurred by a member of the Executive shall require two signatures of authorization. All members of the Executive will have authority to authorize payment. The Treasurer, President, Secretary and any further Executive member agreed upon will have signing authority for cheques.

#### 5.4.5 The Director

The Director shall:

- (a) Represent the HBUA at all HDBA meetings, including but not limited to monthly meetings, Annual General Meetings and Disciplinary Meetings/Hearings.
- (b) Provide any updates from each HDBA meeting to the Executive.
- (c) Perform any other duties as lawfully directed by the President.

#### 5.4.6 Past President

The immediate Past President shall:

- (a) Advise the current executive when requested.
- (b) The past President has no executive voting privileges.

#### 5.5 Vacancies:

Vacancies on the Executive may be filled by appointment or election, at the discretion of the current Executive.

#### 5.6 Removal

Should it be warranted for reasons detrimental to the Association, the Executive shall have the power, by a two-thirds vote of those present at any regular or special meeting to discipline, suspend or remove any Officer, Director, Committee Member from the Executive.

#### 5.7 Executive positions are unpaid. However executive member are not excluded from performing paid duties ie, assignor, evaluator, etc. Any remuneration due to performing these duties will be disclosed to the membership.

### **Article Six - Meetings**

#### 6.1 Annual General Meeting

The Annual General Meeting (AGM) of the Association shall be held by the end of November each year. This is to be advertised to all members at least fourteen (14) days prior to the date of said meeting set by the Executive.

Attendance at the AGM is open to all classes of membership as in Article 4, and all stakeholders (to include but not be limited to Municipal, HDBA, and/or OBA representation). All Executive members must be active in their role and Active members must be in good standing with the Association in the year of the meeting.

Quorum for the AGM A is deemed to be where there are at least 10 members in good standing, including a majority of the Executive.

The following Agenda is to be adopted for this meeting:

1. Review and adoption of the minutes of the previous Annual Meeting
2. Consideration of the President's Report
3. Consideration of the Vice President's Report
4. Consideration of the Treasurer's Report
5. Any unfinished Business from the prior Annual or Special General Meeting.
6. Amendments to the Constitution
7. Election of Officers in order of President, Vice-President, Secretary, Directors (x2). Election to follow the guidelines in 5.2
8. Presentation of the elected Executive.
9. Good and Sundry announcement(s)
10. Adjournment

- 6.2 Meetings of the Executive of the HBUA shall be held when called by the President, any member of the Executive, or an active member of the HBUA may request a meeting at any time, although it is up to the President to determine if or when a meeting will be held. A simple majority of the current sitting members of the Executive will constitute a quorum.

### **Article Seven – Fees**

- 7.1.1 Yearly dues shall be paid by each Active Member (as described in Article, Four 4.1.2) by June 15th. No member will be assigned games after June 15<sup>th</sup> unless their yearly dues have been paid in full. Initial Season Members are exempt from paying dues.
- 7.1.2 Dues shall be reviewed and set each year by the Executive. For current dues rates see appendix A.
- 7.1.3 The current executive is exempt for yearly dues.
- 7.2 Game Fees, game fees will be reviewed and set each year by the Executive. For current games fees see appendix A.

### **Article Eight - Assignor**

- 8.1 The Chief Assignor shall be appointed by the incoming Executive each season.

The Chief Assignor shall:

- (a) Assign umpires to all regular season and playoff games in leagues the HBUA officiates.
- (b) Keep track of what is owed each assigned umpire.
- (c) Be responsible for assigning umpires to rescheduled games.

An alternate assignor may be designated for any league or tournament game as required. The alternate assignor is bound by the duties of the Assignor as described

The Assignor shall receive a fee per umpire for each game assigned throughout the season regardless of how the game fee is paid for by the host association. This amount is to be reviewed and set by the Executive prior to the start of the upcoming season. See Appendix A for current rate.

### **Article Nine – Assignments**

- 9.1 All games assigned through the HBUA shall be officiated by two qualified umpires, (three where required), unless otherwise requested by the host association.
- 9.2 This does not prohibit a member from donating his/her service or accepting pay for a game not assigned by the HBUA, however the member must comply with paragraph 9.5 of this section.
- 9.3 A member must honour all assignments, or provide a suitable replacement and notify the assignor of the replacement. When changes are made, such as switching of games or switching from the assigned plate to base duties, the umpire who initiates the change must notify the assignor as soon as possible.

- 9.4 Members shall perform their assigned duties in a competent and professional manner.
- 9.5 In any case where a member is working games not sanctioned by the HBUA or Baseball Ontario, he/she shall not in any way represent that he/she is a member of the HBUA, or is in any way representing or acting on behalf of the HBUA. The member shall not have the backing of the HBUA for any Grievance filed by or against the member.

## **Article Ten - Discipline**

### 10.1 Grounds for Discipline

Grounds for discipline include, but are not limited to:

- (a) Failure to comply with this Constitution.
- (b) Failure to follow the HBUA uniform policy.
- (c) Not showing up for an HBUA assigned game.
- (d) Not following proper protocol for switching assignments.
- (e) Behavior detrimental to the overall image and good standing of the association.

### 10.2 Penalties

Fines and Penalties shall be determined after an investigation, and if required a hearing. Minor offences may not require or warrant a hearing. Penalties awarded for minor offences shall be determined by the Executive. Any penalties awarded as the result of a hearing will be decided on by the members presiding over the disciplinary hearing. Such penalties will be awarded following a deliberation at the end of the hearing.

Penalties may include

- (a) Verbal or written warning.
- (b) Probation.
- (c) Monetary Fine (game fee for missed games).
- (d) Suspensions up to and including full removal from the association if deemed appropriate.

### 10.3 Hearings

For disciplinary action, a hearing shall be held before the Discipline Committee. The Discipline Committee shall be an ad hoc committee of three including at least two members of the Executive (not to include the President).

The members of the Discipline Committee presiding over a hearing shall:

- (a) Provide the member written notice of any hearing, as early as practical prior to the date of the hearing.
- (b) Permit the member to address the Discipline Committee in person or by written statement.
- (c) Interview any witnesses and review all pertinent information
- (d) Inform the member of any penalty that will be awarded
- (e) Affected member must be made aware of his/her right to appeal the decision made by notifying the HBUA President.

#### 10.4 Appeal

Any member disciplined by the Executive or Discipline Committee shall have the right to appeal to the HBUA President. The appeal must be made within seven days of receipt of the decision. In adjudicating the appeal, the President shall:

- (a) Review the minutes from the previous hearing and go over any statements made.
- (b) Review any written arguments submitted by both parties, and the written decision of the Discipline Committee members that presided over the previous hearing.
- (c) Listen to any oral arguments presented by both sides.
- (d) There are no further channels of appeal once the President rules.

#### **Article Eleven – Dates**

For the purposes of this Constitution the "upcoming" or "current" baseball season is the period starting April 1 and concluding October 31 (inclusive) of the calendar year.

For the purposes of this Constitution the Fiscal Year for the HBUA shall run from December 1 to November 30.

#### **Article Twelve - Constitutional Amendments**

Amendments to the Constitution may be made by a majority vote of those present at a duly constituted Annual General Meeting, providing there is a quorum. A quorum is deemed to be where there are at least 10 members in good standing, including a majority of the Executive. No amendments can be made until the members have been provided sufficient advanced notice.

Amendments to the Constitution shall become effective immediately upon passage, unless otherwise stated in the Amendment.

#### **Article Thirteen – General**

The Constitution and By-laws of the Association are intended as a general guide and cannot specifically cover each situation that may arise. Therefore, the President in a Regular or Special Meeting, with a quorum of the Board of Directors shall have the authority to interpret and decide to the best of their judgment with regard to all these circumstances or any specific case, any matters pertaining to any and all claims contained herein and that their decision shall be final.

For the purposes of this article "sufficient advance notice" shall be 14 calendar days.

Robert's Rules of Order (revised) will prevail for any issue at meetings not covered in these bylaws.

Notes:

"HDBA" shall refer to the Hamilton District Baseball Association for all instances in this Constitution.

Specific or distinctive wordings shall be typed in bold and alternate font throughout this form.