

USDF Committee Grievance Process**I. PURPOSE AND SCOPE**

- A. This process applies to (1) complaints made to or by a USDF standing committee about persons involved with a USDF program or activity that is governed by that standing committee, and (2) related action taken directly against such persons by either the standing committee or one of its members acting in an official role.
1. Example: Complaints resulting in discipline or corrective action being taken by a standing committee.
 2. Example: Complaints about conflict of interest determinations made by a standing committee.
 3. Example: Complaints from a standing committee member about the standing committee chair's decision to remove them from the committee.
- B. This process does not apply to any of the following:
1. General standing committee business.
 - a. Example: Standing committee actions that already go up to either the Executive Board or the Board of Governors for approval, such as recommendations for policy or program changes.
 2. Audit Committee actions and recommendations, due to the Audit Committee's independent status under USDF Bylaws.
 3. USDF administrative issues related to membership status, awards, eligibility, championship qualifying, competition management fines, and other general member issues.
 - a. Example: Matters that are already handled by the USDF's Ad Hoc Review Panel for USDF Regional Championships.
 - b. Example: Matters that are already handled under the USDF's policy for "Competition Fee and Penalty Structure."
 - c. Example: Matters specified in USDF program rules and USDF Policies and Procedures that are administered by USDF staff.
 4. Complaints for which another review process already exists (e.g., sexual harassment or discrimination against employees).
 5. Personnel matters involving USDF staff.

- C. As used in this grievance process, the term “interested parties” may, as the context requires, include any of the following: (1) the person accused in the complaint; (2) the underlying standing committee; (3) the underlying standing committee member(s); and/or (4) the underlying standing committee chair.

II. **PROCESS**

A. **In general**

1. Unless otherwise stated below, complaints handled under this process must begin at the standing committee level. Complaints may be made to a standing committee as stated below. Complaints may also be made by either a standing committee or one of its members.
2. Each level of review in this process must make a decision within 28 calendar days from the date a complaint or appeal is submitted as described below. However, each level of review may extend this time for another 28 calendar days, if needed, provided that the level gives prompt written notice of the extension to the interested parties. Notice of an extension may also be given to the person who submitted the complaint on a “need to know” basis.
3. Committees that review complaints or appeals under this process may meet in person, by phone or by video conference, or by any combination of the above. Committee members who meet via one of these ways will be considered “present” at the meeting. Meetings will be scheduled by that committee’s staff liaison in consultation with that committee’s chair.
4. Before reaching a decision, committees may privately discuss the information they have heard and reviewed.
5. Committee decisions about a complaint under this process must be approved by a majority vote of the committee members present at the meeting.
6. Decisions made under this process must be put in writing, and must state the facts and policies relied upon as the basis for the decision.
7. Confidentiality should be maintained in this process to the extent it is both reasonable and feasible to do so.
8. A person accused may waive any of his/her rights under this process.
9. Nothing about this process should be considered a contract with the USDF for any rights or privileges as a USDF member, including but not limited to any of the rights or privileged addressed in this process.

B. **Standing committee review**

1. A person with a complaint covered by this process must submit the complaint in writing to the staff liaison for the appropriate standing committee. A complaint is “submitted” when the staff liaison actually receives it.

2. Complaints may also be made in writing by a standing committee or one of its members. Such complaints should be submitted to the committee's staff liaison for the record.
3. Regardless of who makes a complaint, to the extent possible a written complaint should clearly state what happened; when it happened; where it happened; who was involved; what harm was caused, if any; and what policies, if known, were violated. The standing committee may require a person to resubmit a complaint if needed to get any or all of this information.
4. Once a complaint is both completed and submitted, the standing committee must follow these steps:
 - a. Look into the complaint. (Talk to the person who submitted the complaint. Talk to other people likely to know something relevant about the complaint. Gather relevant records.) Standing committees may choose a group of their own members to handle this step.
 - b. Send written notice of the complaint and a copy of these procedures to the person accused. Inform the person accused about the facts of the complaint (using a copy of the complaint if appropriate), summarize what the standing committee has learned about it, inform the accused about what policies may have been violated and what the consequences could be, and request a meeting to discuss the complaint with the person accused. Do this within a reasonable time before meeting with the person accused (see below).
 - c. Meet with the person accused. This is not a formal "hearing." Give the person accused a chance to respond to the complaint and the information the committee has gathered (which may include a written response). If asked, and unless special concerns require otherwise, the standing committee should give copies of the records it has gathered about the complaint to the person accused. Private or sensitive information may be removed from the copies if needed.
 - d. If the person accused accepts responsibility, or if the standing committee decides for itself that the person accused was responsible, the standing committee may take any of the following actions:
 - Written warning.
 - Mentoring in the program/activity.
 - Probation from the program/activity.
 - Suspension from the program/activity.
 - Dismissal from the program/activity.
 - Loss of certification from the program/activity.
 - Other action as appropriate.
 - e. The standing committee must forward a copy of its written decision both to the Executive Director and the person accused.

- f. The standing committee may also inform the person who submitted the complaint that action has been taken, but should only share information on a “need to know” basis. If the person who submitted the complaint was harmed by the thing complained of (example: an exam was failed because of the accused’s conduct), the standing committee may, when appropriate, inform that person what steps, if any, will be taken to correct the situation.
5. If the person accused denies responsibility or disagrees with the sanction, that person may appeal to the Steering Committee (see below) by sending the Executive Director written notice of the intent to appeal. This written notice must be postmarked, faxed or emailed to the Executive Director no more than 21 calendar days after the date of the standing committee’s written decision.
 6. If the person accused does not appeal within the time allowed, then the standing committee’s decision will be final.
 7. If there is a timely appeal, or if the chair refers the complaint directly to the Steering Committee (see below), the standing committee must send the record of the matter to the Executive Director for the Steering Committee’s review.
 8. The standing committee chair may refer a complaint directly to the Steering Committee at any time, without further review or decision by the standing committee, but only for one of these reasons:
 - a. The “person accused” in the complaint is the standing committee itself, or one of the standing committee’s members, including the chair; or
 - b. The standing committee chair, in consultation with the Executive Director, determines that the matter is very time-sensitive, such that the time needed for review by the standing committee would unduly delay a final result and likely allow harm that could not be corrected; or
 - c. The standing committee chair, in consultation with the Executive Director, determines that the complaint concerns a matter of great and immediate importance to the USDF as an organization.

C. Steering Committee review

1. An appeal or complaint is “submitted” to the Steering Committee when it is actually received by the Executive Director.
2. Upon submission of an appeal (or a complaint referred by the standing committee chair as described above), the Executive Director, in consultation with the Steering Committee Chair, will schedule a meeting of the Steering Committee. Within a reasonable time before that meeting, the Executive Director will make copies of the record available to the Steering Committee for prior review. However, Steering Committee members should not make a decision about the matter until they have had the meeting required by this process.

3. At the meeting, the Steering Committee will conduct a basic hearing.
 - a. The person accused in the complaint will have these rights at the hearing:
 - The right to ask that a member of the Steering Committee be disqualified because of a conflict of interest. (This does not guarantee that the member will be disqualified.)
 - The right to be present either in person, by phone or by video conference, as the situation may allow or require.
 - The right to present his/her own witnesses, evidence and arguments in his/her favor. However, the person accused will be solely responsible for securing and presenting these things at the hearing.
 - The right to question witnesses.
 - The right to have the help of an advisor (acting in an advisory capacity only, with no right to directly participate in the hearing).
 - b. The standing committee chair who oversees the underlying standing committee will present that standing committee's position on the matter at the hearing, as well as the evidence and witnesses supporting that position.
 - c. Any member of the Steering Committee may ask questions of the person accused, the standing committee chair and the witnesses presented at the hearing.
 - d. The hearing (except for the Steering Committee's private discussions) will be recorded and the person accused may receive a copy of that recording upon request to the Executive Director.
 - e. The Chair of the Steering Committee will preside over the hearing. The Chair of the Steering Committee will not vote unless there is a tie among the Steering Committee's other members.
 - f. The Executive Director will forward a copy of the Steering Committee's decision to the person accused, the relevant standing committee chair and the President.
4. If the person accused contests the Steering Committee's decision, the person may appeal to the President by sending the Executive Director a written notice and statement in support of appeal. This notice must be postmarked, faxed or emailed no more than 21 calendar days after the date of the Steering Committee's written decision.
5. If the person accused does not appeal within the time allowed, then the Steering Committee's decision will become final.

6. If there is a timely appeal, the Executive Director must send the entire record of the matter to the President for review.

D. President's review

1. An appeal is "submitted" to the President when the Executive Director actually receives the written notice and statement of appeal on behalf of the President.
2. In reviewing the matter, the President may consult with or seek clarification from any or all of the following, as appropriate:
 - a. The Management Committee.
 - b. The person accused.
 - c. The Steering Committee Chair.
 - d. The Executive Director.
 - e. The relevant council chair.
 - f. The relevant standing committee's chair.
3. However, absent special reasons, the President should not "re-decide" factual findings made by the Steering Committee.
4. In making his/her decision, the President may do any of the following:
 - a. Affirm the action imposed by the Steering Committee.
 - b. Impose a less severe action than what the Steering Committee imposed.
 - c. Impose a more severe action than what the Steering Committee imposed.
5. The President's decision will be final, with no right of appeal.