

IREVA DUE PROCESS PROCEDURE

COMPLAINTS / GRIEVANCES

[Adopted 01/22/2010]

POLICY

1) GOALS

- a) It is IREVA's goal to ensure fair, consistent, timely handling of complaints by and against IREVA members via this due process procedure.
- b) This procedure distinguishes between events and actions handled via routine administrative decisions made by IREVA officers under their authority as delegated, and those events and actions that require extraordinary attention.

2) REFERENCES

- a) USAV policy on due process:
 - i) USAV Bylaws 4.A.10 & 11; USAV Operating Code 6.03.8;
 - ii) RVAA Administrative Manual Article III;
- b) Applicable USAV policies:
 - i) USAV Code of Conduct & Disciplinary Policy [see membership application]
 - ii) USAV Domestic Competition Regulation [rulebook]
- c) IREVA Bylaws
- d) Various IREVA policies as per handbook, operating code, website, etc.

3) DEFINITION OF ACCEPTABLE COMPLAINT / GRIEVANCE

- a) Effective handling of a complaint by IREVA requires that the complainant must provide specific information in sufficient detail on IREVA's form for that purpose, or in an equivalent letter.
Minimum requirements are:
 - i) Filed by
 - ii) Against whom
 - iii) This is what complainant believes happened, when, witnesses, etc.
 - iv) This is what complainant believes should happen
 - v) Basis for complaint – violation of specific USAV or IREVA policy, procedure or other standards.
- b) Effective handling of a complaint by IREVA requires timely submittal. Unless there are extenuating circumstances, a complaint must be submitted within 30 days of the occurrence that causes the complaint.

4) CATEGORIES OF COMPLAINTS

- a) Member-to-member
- b) Member-to-officer
- c) Officer-to-member [when not covered by existing policy & procedure]

- 5) All parties are obligated to recognize conflicts of interest, whether real, potential or perceived, and take appropriate steps, whether either acknowledgement or recusal.

PROCESS

1) STEP 1

- a) CEO receives the acceptable complaint / grievance. See definition of acceptable under POLICY.
- b) CEO performs an initial review is to determine if the complaint rises to the level of being a potentially sanctionable occurrence or a reversal of a decision by IREVA and its officer[s], and determines timing of required action
- c) Once sufficient information is obtained, CEO decides, based on standard guidelines and parameters, on subsequent process to be followed:
 - i) Immediate CEO decision
 - (1) Dismiss
 - (2) Warning
 - (3) Referral to responsible IREVA officer for followup action
 - (4) Mediation to solution
 - ii) Referral to STEP 2 - COMPLAINT COMMITTEE
 - iii) Referral to STEP 3 - HEARING COMMITTEE
 - iv) Other as appropriate for unique circumstances
- d) CEO takes any necessary action to implement subsequent process decision, including notifies parties by mail in a timely manner
- e) CEO has the right to take immediate executive action when required by USAV, IREVA or public policy [child molestation, violence, significant property destruction, etc.]
- f) Appeal by either party is possible to STEP 2 COMPLAINT COMMITTEE
- g) CEO makes BOD aware of issue and outcome

2) STEP 2

- a) COMPLAINT COMMITTEE – 3 people are appointed by CEO - consisting of:
 - i) Officer [VP, Sec., Treas.],
 - ii) Elected Director,
 - iii) Appointed Director [typically Officials or JO or Adult Director]
 - iv) Subject to recusal and substitution if conflict exists
- b) Fact-finding and process recommendation
- c) Determine the next step [by simple majority]
 - i) Dismiss – must be accepted by both parties
 - ii) Warning - must be accepted by both parties
 - iii) Referral to responsible officer for followup action - must be accepted by both parties
 - iv) Mediation – committee identifies a mediator - must be accepted by both parties
 - v) Send to next level – hearing
- d) Notify CEO of findings
- e) CEO takes any necessary action, including notifies parties by mail in a timely manner
- f) No appeal from STEP 2 process
- g) CEO makes BOD aware of issue and outcome

3) STEP 3

- a) HEARING COMMITTEE
 - i) Committee is selected from 9 elected directors of BOD
 - ii) Recusals as appropriate
 - iii) Each side eliminates up to 3 people of those remaining, such that the HEARING COMMITTEE consists of 3 [complainant chooses second]
- b) HEARING COMMITTEE takes evidence, hears testimony, reviews relevant policies, etc.

- c) HEARING COMMITTEE gives final resolution to complaint [by simple majority]
 - i) Dismiss
 - ii) Warning
 - iii) Penalty
 - iv) Other
 - d) HEARING COMMITTEE sends resolution to CEO
 - e) CEO reviews for adherence to procedure and policy
 - i) CEO returns to HEARING COMMITTEE for further consideration, or
 - ii) CEO takes any necessary action, including notifies parties by mail in a timely manner
 - iii) CEO makes BOD aware of issue and outcome
 - f) Appeal by either party is possible to IREVA BOARD
- 4) STEP 4
- a) Appeal to IREVA BOARD - appeal criteria are limited to:
 - i) Failure to follow procedure
 - ii) Failure to follow policy
 - iii) Additional evidence not considered
 - b) IREVA BOARD reviews a Step 4 appeal to determine whether appeal criteria are satisfied [by simple majority]
 - c) If appeal criteria are satisfied, IREVA BOARD sends complaint resolution back to previous step for reconsideration
 - d) If not, CEO takes any necessary action, including notifies parties by mail in a timely manner
- 5) STEP 5
- a) Appeal to USAV Ethics and Eligibility Committee in accordance with USAV Bylaws.

IREVA Complaint/Grievance Form

Name: _____ Date: _____

Club/Team Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____ Cell: _____

E-mail address: _____

Grievance/complaint on behalf of (e.g. self, club, team, etc.): _____

My/our complaint(s)/grievance(s) are/is against: (name of individual, team or organization)

My (our) complaint(s)/grievance(s) is (are) as follows (identify specific policy or procedure if applicable): _____

If complaint/grievance arises out of a specific incident, please include, date/time, place and parties involved and/or present: _____

I am (we are) seeking the following remedy (ies) (E.g. investigation, warning, sanction, etc.):

<p>FOR IREVA USE: <i>Date received</i> _____</p> <p><i>Bond paid?</i> _____ <i>Amt.</i> _____ <i>Copies sent to:</i></p> <p>_____</p> <p>_____</p> <p><i>via</i> _____ <i>(mail, e-mail) on</i> _____ <i>(date sent).</i></p>
