

## ***DUE PROCESS AND GRIEVANCE PROCEDURE***

### **GRIEVANCE BOARD**

The Grievance Board receives and reviews written complaints. The Grievance Board never hears a case. This group consists of 3 people:

1. Vice President (unless there is a conflict or the Vice President is unable), then Treasurer, then Secretary.
2. A Regional Director (in the following priority order).
  - a. Expiring at Large
  - b. 2-year term at Large
  - c. 3-year term at Large
  - d. Expiring East
  - e. Expiring West
  - f. 2-year term West
  - g. 2-year term East
  - h. 3-year term East
  - i. 3-year term West
3. Official (in the following priority order) :
  - a. Referee Chairperson
  - b. Scorekeeper Chairperson
  - c. Highest rated referees (in order of seniority)

After reviewing a written complaint, the Board will take one of the following actions as appropriate.

1. Dismiss the complaint as not worthy of a grievance hearing.
2. Solves the problem (the Board feels there is a minor problem) by writing a letter to the person/team in the wrong advising them of the complaint, and telling them they must correct the situation in the future or risk disciplinary action.
3. Holds a grievance hearing (The Board feels the infraction is severe enough, or a repetition of a previous violation occurs such that disciplinary action may be needed.) One of the Grievance Board members referenced above becomes the Corresponding Secretary for this hearing.

### **PROCEDURE**

After deciding that a hearing should be conducted, the Corresponding Secretary sends out a notice to both parties by certified mail that a hearing will be held in two weeks time at a nearby site. Included in the mailing is a copy of the complaint. The party is entitled to know who wrote the complaint as well as what the complaint is. If the party does not show up, the hearing will be conducted regardless. Any information that is sent to the hearing on the parties' behalf should be presented. Also in the mailing is a list of members of the Adjudication Committee, excluding club members from either party. The parties should be allowed to eliminate 5 or 6 people from the list.

After both lists are returned, the Corresponding Secretary chooses 3 people (one of them as Hearing Foreman) to serve on the Adjudication Committee. This committee will consist of all the Club Representatives of the Region (excluding members of the Board of Governors) .If they are a Club Rep, they assign a Team Representative or someone else from their team as the member of the committee. For each hearing, the committee members are chosen at random from those closest to the hearing site. All information should be sent to the committee before the hearing so they can be prepared to ask pertinent questions. These 3 individuals will sit in judgement, weigh

the evidence, and decide on an appropriate sanction. The committee must ensure that the sanction is consistent with the severity of the infraction, and that it is disciplinary yet constructive.

The sanction proposed by the committee will be reviewed by the Commissioner. If the Commissioner feels that the sanction is unjust, he/she may ask the committee to rethink its decision. After the committee agrees upon an appropriate sanction, the person is notified of his/her sanction by **certified mail**. No one should be allowed to discuss the sanction after it is imposed. The individual receiving the sanction will have two weeks to appeal. A panel of the Board of Governors will hear any appeal, and may uphold or dismiss the sanction.

After the hearing, one copy of all correspondence is filed. The rest is disposed of.

The Region will not seek to determine guilt or innocence in cases that have been decided in a recognized court of law. A final level of appeal can be made to the Regional Operations Division of USA Volleyball as outlined in the USA Volleyball Official Guide.