

Grunions Grievance Procedure

Complaints and Disputes

Grunion activities are a “safe” place where all are accepted regardless of age, race, gender, religion, national origin, political affiliation, sexual orientation, sexual identity, gender identity, gender expression or athletic ability. Any member who does not respect this will be suspended from the team, consistent with this Policy. All members should practice good sporting conduct, which is defined as ethical, appropriate, polite, and fair behavior while participating in a game or athletic event. Club members are expected to respect the coaches and other swimmers at all times.

Complaints or disputes regarding coaches or other swimmers should be brought to the Grunions Vice President. Complaints or disputes regarding the pools, such as water temperature, cleanliness, and plumbing problems should be brought to the Facilities Coordinator.

Grounds for Grievances

Any member of the Grunions may bring a complaint on any matter for which grievances may be heard under this Section. Specifically, complaints may be brought alleging unsporting conduct, defined as:

- Violation of the opportunity to participate;
- Discrimination in violation of USMS Code of Regulations and Rules of Competition (located at usms.org/volunteer-central/us-masters-swimming-rule-book/);
- Any act of fraud, deception or dishonesty in connection with any USMS related activity;
- Knowingly providing false information including name, date of birth, age, or gender on USMS membership applications or meet entries;
- Any nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward any individual during a Grunion practice, or official Grunion-sanctioned event;
- Any nonconsensual sexual conduct, pattern of unwelcome sexual advances, or other inappropriate sexually oriented behavior or action by a Grunion member toward a member, employee, or any other person participating in any capacity;
- Causing a credible and material risk to the safety of USMS members or others who may be present during USMS activities. A lifetime ban, declaration of permanent ineligibility, or permanent resignation of membership from a member organization of United States Aquatic Sports may be considered as evidence of a violation of USMS rules; or
- Any act, conduct or omission that is detrimental to the image or reputation of the Grunions.

Complaint Procedure

A complaint shall consist of a concise statement of the behavior or circumstance involved, shall be in writing, and signed by the person responsible for making the complaint. The complaint shall clearly identify the person or entity making the complaint and the person or entity against whom the complaint is made. The complaint shall be directed only to the Grunions Vice President, via hand delivery or email (Grunions-VP@grunions.org). The Grunions Vice President shall confirm receipt of the complaint to the complainant upon receipt.

Upon receipt of a complaint, the Vice President shall first make a determination whether the subject matter involves an issue for which a grievance may be brought under this Section and involves a person associated with the Grunions. If the Vice President determines that the complaint does not meet such criteria, the Vice President will convene a meeting of at least two other Grunion board members, to confirm a majority agree with the Vice President’s decision. If, after conferring with 2 other board members, the majority of whom agree with this determination, the Vice President shall dismiss the

complaint and notice of same shall be transmitted to the party bringing the complaint and to the Grunion Board of Directors.

If the Vice President does not dismiss the complaint, the Vice President shall transmit a copy of the complaint to all other parties involved. The parties to any controversy shall be the Grunions member or entity that makes the complaint, the Grunion member or entity that is the subject of a complaint, and the Grunion Board President. In the event there are multiple parties or varying interests, any interested person may ask the Vice President to (or the President may of his or her own volition) realign the parties according to their interest in the matter.

The parties other than the complaining party shall have the right to make a written reply, which shall consist of a concise statement of any matter of defense to the complaint, and which shall be made within twenty days from the date the copy of the complaint is transmitted by the Vice President. Replies shall be in writing and signed by the person responsible for making the reply. The Vice President will ensure that all parties receive copies of all written reply submissions, and may receive rebuttal responses from any parties, within reasonable timeframes. The Vice President shall advise all parties in writing of their rights under these guidelines. The Vice President, for reasonable grounds, including excusable neglect, may extend any time limit. Disciplinary action shall be taken against a club member whose behavior constitutes a violation of this Policy.

The Vice President may establish a Disciplinary Committee (made up of 3 to 5 members of the Board) to resolve a complaint that cannot be resolved upon receiving the written submissions from all parties. The name of the member who files the complaint will be shared with other Board members but not with other members of the club.

The Disciplinary Committee will investigate all grievances and seek corroborating information. The Committee should make every effort to ensure that there is no actual or apparent favoritism or partiality in the investigation of grievances or subsequent disciplinary actions. Therefore, any Board member who has filed a grievance against a team member or who for any other reason might be regarded as other than impartial with respect to that club member may not serve on any disciplinary committee investigating that member and should be recused from any votes on disciplinary action.

The Disciplinary Committee shall meet to consider the outcome of the investigation, and make a determination on the allegations in the complaint. The meeting will may be done in the form of a conference call meeting or an in-person meeting.

Upon rendering of a final decision, the Vice President shall notify all parties in writing of their right to appeal to the entire Grunion Board, which shall address the appeal consistent with the investigation procedures undertaken by the Disciplinary Committee.

Any further appeal may be taken of the Grunion Board of Directors' determination with United States Master's Swimming, pursuant to Article 402.3 of its Rules.

Discipline

The Grunion Board of Directors shall have the full power to suspend, expel, or demand the resignation of a member, upon a finding that this Policy has been violated, following an investigation by the Disciplinary Committee, and/or the Grunion Board of Directors, following an appeal.

The first offence by a club member whose actions are deemed unacceptable under this Policy will result in suspension of membership for thirty (30) days. A second offence by a club member whose actions are

deemed unacceptable under this Policy will result in suspension of membership for six (6) months. A third offence by a club member whose actions are deemed unacceptable under this Section will result in termination of membership or expulsion.

Where the Board judges an incident to be egregious enough by virtue of being offensive to an individual or disruptive to the club or the entire membership, the Board reserves the right to terminate the offending member's membership privileges at any time. The Board shall notify the offending member in writing of its decision within ten (10) days of the hearing or meeting. The decision of the Board of Directors shall be final.