

USTA LEAGUE GRIEVANCE & APPEAL CHECKLIST

Applies only to USTA Leagues Governed by USTA League Regulation Section 3.0: Grievance Procedures

GENERAL INFORMATION

Committee Structure

- Grievance and Grievance Appeal Committees shall consist of a minimum of three members, one of whom shall serve as chair.
- Conflicts of interest and appearances of same should be avoided. Members must remain impartial. No member of a Grievance Committee may serve as a member of the Grievance Appeal Committee that is reviewing the same grievance, and League coordinators shall not serve on a Grievance or Grievance Appeal Committee for a league over which they have jurisdiction.
- Committee members must be familiar with league regulations and procedures at all levels

Jurisdiction

An individual does not have standing to bring a grievance against any grievance committee, nor against members of the committees unless the grievance against the member is as a result of their participation as a league player

- Administrative Grievances go to the next higher level.
- All grievances against a Sectional League Coordinator shall be administered by the Sectional League Committee whose decision is final and binding.
- Administrative Grievances must be filed within one year of the incident leading to the grievance or the grievance shall be barred.
- All grievance matters are confidential and should be handled as such

Filing Procedure

All grievances and grievance appeals must be submitted in writing to the applicable coordinator (Local, District/Area or Sectional), and on the proper grievance form. Copies of the grievance and all subsequent correspondence should be sent to the Grievance Committee Chair and all interested parties

- Upon receipt, complete and send an Acknowledgement along with a copy of the grievance to the party being grieved informing them of the amount of time they have to respond in writing to all parties.
- If the Committee wishes to conduct a hearing, the Chair should notify the coordinator who in turn should send out a **Notification of Hearing** to all parties who must be given the opportunity to participate. The hearing can be conducted by phone, video conferencing, or other approved remote participation

Hearing Procedure

- The filing party should be given 10 minutes to speak, the respondent should be given 10 minutes to speak and each should receive 5 minutes for rebuttal. The Chair may expand these time periods.
- Either party is entitled to have others on the call with him/her. A party intending to have an attorney present at the hearing must so notify the applicable coordinator (Local, District/Area or Sectional) at least 10 business days prior to the hearing. Any comments by witnesses or others are included in the 10 minutes (or other applicable time period).
- If the party demands a hearing in person (which the committee may accept or reject in its discretion), he or she may be required to pay the costs of the grievance committee and the other parties involved

Decisions

- Only Grievance or Grievance Appeal Committee members may participate in the deliberations and decisions.
- In the instance of an Administrative Grievance against the Section or National Administrator, a quorum of the members of a committee (1/3) may act on behalf of the full committee in the grievance process. The Chair of the Section or National League Committee should administer the grievance on behalf of the league.
- A league coordinator may not be present at a Grievance or Grievance Appeal Committee Meeting or Hearing unless a witness, party to the grievance or invited by the Chair.
- All decisions shall be by majority vote and in writing
- Must include the basis for the decision: findings of fact, rules, regulations, procedures, and policies that support the decision.
- Should clearly delineate any penalties assessed against players, captains, teams, etc. Shall state the deadline (date and time), process and procedures and contact information to file a written appeal.
- Shall advise all parties penalized by the Grievance Committee that penalties are in effect during the appeal process. If no penalties are imposed and the filer appeals the decision, advise parties they may participate during the appeal process but must understand that the Grievance Appeal Committee may remand a decision of the Grievance Committee for reconsideration and during that reconsideration, the original Grievance Committee decision may be reversed and penalties imposed that could include default of matches played during the appeal process.
- Must list the names of the Committee Chair and Vice-Chair (it is suggested but not required to list the names of all committee members), and must be signed and dated by the Chair.
- Once the Grievance Committee finalizes its Decision, the coordinator shall send a copy of the Decision to all parties with all information about the appeal process included.
- All written committee decisions should be archived for future reference, and a copy should be sent to the next highest level for filing as well (Local to District, District to Section, and Section to National)

GRIEVANCE COMMITTEE STEP-BY-STEP

- Confirm type of grievance, that it has been filed correctly (filed by appropriate person, with correct committee, within required time constraints, etc.), and that the grievance has been sent to all parties.
- Investigate the grievance:
 - Collect and review written responses, Interview the parties and witnesses as necessary, Gather any other relevant evidence, e.g., match cards, TennisLink reports.
- If requested, and approved by the committee, schedule a hearing and notify all parties.
- Determine which rules, regulations or procedures apply to the grievance.
- The Committee shall meet and render its decision in a timely manner and as further described in this document.
- Committee may apply a penalty to any party to the grievance even if the grievance was not filed against such party, as long as the party has the opportunity to review and present evidence. Consult the penalty guidelines sheet for further information on suggested penalties that can be issued by the committee

GRIEVANCE APPEAL COMMITTEE STEP-BY-STEP

Any party to the grievance may appeal, by written notice to the Coordinator, within the deadline established by the Grievance Committee. The party(ies) appealing shall have the opportunity to submit, in writing, facts and arguments in support of their respective positions and all such information shall be provided to all parties

- The Committee shall first verify the appeal has been timely filed and copies of the appeal sent to all interested parties (Notice of Appeal). The Committee may accept further evidence as it deems appropriate, or base its decision entirely on the original findings of fact by the Grievance Committee and on the facts and arguments submitted in writing by the party(ies) to the appeal.
- The Committee is required to hold a hearing if requested, in writing, by any party and if none was held by the Grievance Committee. However, the Grievance Appeal Committee may hear such further evidence as it deems appropriate.
- The Committee can affirm, modify, remand for cause or reject the decision of the Grievance Committee. May remand the Grievance Committee decision to the original Grievance Committee or to a new Grievance Committee for reconsideration, however, the Committee cannot impose a harsher penalty than the grievance committee.
- The Grievance Appeal Committee decision is final and binding except for a suspension of 12 months or more.
- If a suspension of 12 months or more is upheld or assigned, all parties need to be notified of the deadline and contact information to file a final appeal to the National League Grievance Appeal Committee