

Grievance Procedure

A. Composition and Responsibility

The Grievance Committee shall be composed of persons named by the President of USTA Florida. The Committee shall have a Chair and may also have a Vice Chair. In the absence of the Chair (or pursuant to the Chair's request), the Vice Chair of the Grievance Committee shall have the same powers as granted to the Chair. The Grievance Committee shall also be composed of an appeal panel consisting of at least 3 persons appointed by the President. The Chair or Vice Chair may serve on the appeal panel so long as they did not render the initial decision. The Grievance Committee shall have jurisdiction over, and be responsible for enforcing: the USTA Constitution; USTA Florida Articles of Incorporation; USTA and USTA Florida By-Laws, Rules and Regulations; USTA and USTA Florida standards of conduct, fair play and good sportsmanship; and Rules of Tennis. The Grievance Committee has no jurisdiction over league or team tennis grievances that provide its own grievance procedures.

B. Filing a Grievance

Any grievance shall be filed in writing within twenty-one (21) days following the date on which the alleged violation occurred, except that if the alleged violation is based on falsification of any information, such written grievance shall be filed within fifteen (15) days after discovery. Absent good cause shown, grievances not filed within the required time period are barred.

The Chairman, after receipt of the response to the grievance, and any investigation in the Chair's absolute discretion, Chair shall promptly notify all parties, in writing, of the Chair's decision. The Chair shall have the power to take any of the following actions:

- (a) Issue a written warning or reprimand.
- (b) Place any person(s) or organization(s) upon probation under such terms and conditions as the Chair may deem appropriate. (Violation of any of the terms of probation shall constitute grounds for the imposition of additional penalties).
- (c) Suspend any person(s) or organization(s) from participating in any tournaments or other events sanctioned or held by USTA Florida or which are sanctioned by the USTA, USTA Florida or other USTA sections.
- (d) Suspend any person who is associated with the member or event, including, but not limited to, a parent, guardian, coach, official or tournament staff member.

- (e) Impose loss of sanction.
- (f) Impose a fine not to exceed \$1,000.
- (g) Any combination of the above.

Prior to taking such action, the Chair shall not be required to hold any hearing, and such action may be taken on the basis of such investigation, as the Chair, in its absolute discretion, deems appropriate. The Chair shall promptly notify in writing the person so charged of the decision. Grievances are not confidential.

C. Appeals Process

Within thirty days after receipt of a written decision by the Chair of the Grievance Committee, the person penalized may appeal the decision by addressing and delivering a written request to appeal the decision to the Chair (c/o the USTA Florida Office). The appeal shall specify the grounds for the appeal. The Chair shall promptly advise the appeal panel that an appeal has been filed.

Upon receipt of an appeal, the Chair of the appeal panel shall promptly fix a date, time and place to hear the appeal. The location of any hearing (if applicable), the number of witnesses and amount of time for each witness or presenter shall be set by the Chair of the appeal panel. The person penalized shall receive not less than eight days prior written notice, unless waived by the person appealing. The appeal panel shall promptly review the decision of the Chair and may receive such further evidence as it, in its absolute discretion, deems appropriate. If a hearing is held, the Chair shall decide whether such hearing shall be held telephonically or in person. The party who appeals the Chair's decision bears the costs associated with the review by the appeal panel and must remit a payment in the amount of \$100.00 payable to USTA Florida with his/her appeal or the appeal will not be considered. In the event that the person appealing requests an in person hearing, and the appeal panel grants that request, the amount of the cost required shall be set by the Chair of the appeal panel. The costs may include travel and lodging expense for the members of the appeal panel and any witnesses required by the Chair of the appeal panel.

The appeal panel shall have the power to affirm, modify or reject the initial decision and to impose any additional penalties as it may deem appropriate, including a fine not in excess of \$1,000. The appeal panel

shall promptly notify the person penalized of its decision and shall prepare written findings of fact in support of its decision.

Any penalty that was imposed by the Chair of the Grievance Committee in the initial decision will be enforced during the appeals process, unless abated by the Grievance Chair.

D. Hearings Before the Appeal Panel

Instead of acting upon a written complaint in accordance with the provisions of subsection (B) above, the Chair may elect to have the appeal panel hear the grievance and render a decision. The grievance shall be conducted in accordance with the provisions of subsection (C) above and the appeal panel shall have the power to impose such penalties as it may deem appropriate, including a fine not in excess of \$1,000. Any appeal from a decision of the appeal panel shall be made to the Board of Directors as provided in subsection (E) below.

E. Appeals to the Board of Directors

Within thirty days after a receipt of a written decision of the appeal panel, the person penalized may appeal the decision by addressing and delivering a written request to the President of the Section (c/o the USTA Florida Office) for a review by the Board of Directors. The Board of Directors shall thereupon promptly review the findings of fact and the decision of the appeal panel. The Board of Directors shall not be required to hold any hearing, and its decision may be based entirely on the findings of fact of the Grievance Appeal Committee. However, the Board of Directors may hear such further testimony and receive such further evidence, as it, in its absolute discretion, deems appropriate. Promptly following its review, the Board of Directors shall have the power to affirm, modify or reject the decision of the appeal panel, but may not impose any harsher penalties. The decision of the Board of Directors shall be final and binding.

F. Reinstatement

Any person who has been suspended or expelled pursuant to these rules may be reinstated at any time by the Board of Directors on evidence satisfactory to it that reinstatement is merited. Prior to taking any such action, the Board of Directors will obtain the recommendations of the Grievance Chair.

G. Reciprocity

It is the policy of this Section to grant reciprocity for any disciplinary action against a player imposed as a result of the grievance procedures of the USTA or any of its Sections. Upon receipt of notice by the Board of Directors that a disciplinary action has become final (all appeals have been concluded or the time for appeal has run), the disciplinary action shall apply within this Section as if it had been imposed by the grievance procedures of this Section.

*Approved by USTA Florida Executive Committee 8/30/2014
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