



**USA Deaf Sports Federation**  
www.usdeafsports.org

**Policy:** Grievance Policy and Procedure  
**Date Issued:** August 2022  
**Owner:** Governance  
**Applies to:** USADSF Board and staff, NSOs, NSCs, volunteers, athletes, and other Persons as specified in this policy

**1.0 Purpose:** All members, including but not limited to: athletes, coaches, trainers, mechanics, team doctors, team managers, team directors, employees, volunteers, officers, staff and Board officers, of the USA Deaf Sports Federation (USADSF) have the right to be free from discrimination and harassment, as well as from retaliation for reporting issues. All members of the organization are expected to conduct themselves in a manner that does not infringe upon the rights of others. USADSF’s policies have been developed to reaffirm these principles, to provide resources for those individuals whose rights may have been violated, and to provide accountability for conduct that violates this Policy. This Policy prohibits behaviors that constitute discrimination or harassment prohibited by state and federal law.

**2.0 Policy Statement:** USADSF strives to cultivate a community of respect, civility, value, and free from discrimination and violations harassment for all its members. The USADSF will hold all members accountable to the policy.

USADSF prohibits discrimination or harassment that violates the law or that limits opportunities of participation, employment, or education based on the protected classes of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, protected disability, protected veteran status, genetic information, height, weight, or marital status.

## **2.1 Privacy and Confidentiality**

USADSF is committed to protecting the Privacy of all individuals involved in reporting violated conduct. Every effort will be made to protect the Privacy interests of all individuals involved in a manner consistent with the need for a thorough review. Privacy and Confidentiality have distinct meanings under this Policy.

Private information may only be shared with the organization board and who are directly involved in resolving reports of misconduct under this Policy. While not bound by legally privileged Confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Unless there is an imminent threat of harm to self or others, Confidential information that is shared with designated professionals may not be revealed to any other individual without express permission from the individual disclosing the information or about whom the

information pertains. Designated professionals that may hold legally privileged conversations recognized by law include medical providers and mental health providers, and ordained clergy/pastoral counselors.

## **2.2 Retaliation**

Retaliation against any individual or group of individuals for their participation in the enforcement of this Policy is prohibited by this Policy and by state and federal law.

Retaliation may take many forms, including threats, intimidation, pressuring, continued abuse, violence, ostracization, and other forms of harm to others.

Retaliation may also occur by moving someone to a less desirable responsibility, altering duties, removing or limiting privileges.

## **2.3 Implementation**

Due diligence will be acted upon when a report is filed. Please refer to the Procedure section below for its process and procedure to ensure compliance with this Policy.

## **2.4 Communication**

The Members of USADSF will be notified of this Policy via its posting on the USADSF's Policy webpage and standard communication. A notice of this Policy must be included in bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, members, applicants, or employees.

## **2.5 Accountability**

Failure to follow this Policy and any associated procedures or guidelines may subject members to disciplinary action, up to and including termination/separation dismissal from the organization or programs affiliated with the organization, consistent with applicable conduct procedures, handbook, and Code of Conduct.

## **3.0 PROCEDURE**

The USADSF encourages informal resolution of issues when possible. Conflicts and issues are most successfully resolved when addressed in their earliest stages. The process outlined below should be used if an individual experiences a conflict with a member or other issue impacting their schedule, performance or environment.

**3.1 Step 1** - A complaint should occur before the formal grievance is filed. A complaint is any verbal, unwritten accusation, allegation, or charge against the USADSF, its affiliated National Sport Organization, or its members regarding the conditions affecting the member filing the complaint. It should be a timely expression of an issue. Complaints must be expressed and discussed with the member's immediate superior before any grievance is filed.

If the complaint cannot be resolved, a grievance may be filed. In the event there is no response within 72 hours of the complaint, a grievance may be filed.

**3.2 Step 2** - A grievance is defined as a formal written allegation by a member that there has been a violation, misinterpretation, misapplication, discriminatory application, or unreasonable application of a state or federal law or an official USADSF policy, procedure, rule, or regulation regarding the member's conditions.

A formal grievance must be filed on an official USADSF grievance form and signed by the member involved. The grievance must:

- Be timely.
- State all the facts in the case.
- State when the incident(s) being grieved occurred.
- Specify the policy, procedure, rule, or regulation involved.

**3.2.1 Time limit.** The completed formal grievance must be filed with USADSF no later than 30 calendar days after the event(s) being grieved occurred. Time limits may be extended by the USADSF President upon written request.

**3.2.2 Representation.** Once a formal grievance has been filed, the member, if he/she/they wishes, may have another member present as a representative at any meeting where the grievance is discussed with the grievant, provided notice is given to the grievance representative at least 24 hours before the meeting. If the member wishes to have a representative who is not a USADSF member, he/she/they must notify USADSF in writing at the time the grievance or appeal is filed. The USADSF may choose to have representation at any grievance meeting in addition to the representatives designated in this grievance procedure, and shall advise the grievant in advance of any grievance meeting if additional USADSF representatives will be in attendance.

**3.2.3 Response.** After receiving the grievance, a designated USADSF officer will forward the grievance to the step-one organizational representative, who will be the grievance representative designated by the USADSF president to respond to the grievance. The step-one organizational representative must provide a written answer within seven calendar days after receiving the formal grievance.

**3.3 Step 3** - move up to presidential level. If the grievance is not resolved at step two, it may be appealed to the USADSF President or the President's designee. A designee will lead if the grievance is filed against the President. The president will designate representatives (see Grievance Committee), within 14 days after receiving the step two unresolved grievances, to conduct a hearing or investigation of the grievance, report findings, and recommend a decision. The president will make the final grievance decision and communicate it to the appropriate parties.

#### **4.0 GRIEVANCE COMMITTEE**

The grievance committee which is appointed by the President shall be between three to five members selected per the following guidelines:

**4.1** The chair and committee members will include individuals who have no vested interest in the outcome.

**4.2** Every effort will be made to diversify the composition of the committee members including but not limited to race, ethnicity, gender, age, and sexuality for a fair representation in the decision making process.

**4.3** In addition to the president appointed committee members as stated above, the grievant may bring his/her/their representative (see Representation above for further information).

**4.4** The committee shall conduct an independent and thorough investigation. In order to do so, it has the power to receive evidence from the grievant and to gather evidence from all sources and all witnesses.

**4.5** The procedure shall involve a fact finding by the committee at which time the committee will ascertain from each witness, including the grievant, separately. The grievant will be allowed to present any pertinent evidence to the committee and to have the committee call those witnesses who have testimony pertinent to the decision.

**4.6** The committee shall make a written report of its recommendation and justification to the President. The President may then adopt the committee's recommendation, in whole or in part, or make his/her/their decision independent of the committee's findings with justification

**4.7** The grievant shall be provided a copy of the committee's report along with the President's decision.

#### **5.0 DESTRUCTION, ALTERATION, OR FALSIFICATION**

Whoever, including all parties in the grievance committee and/or part of this grievance, knowingly alters, destroys, conceals, or removes a thing or item with the purpose of hiding the truth or making an item unavailable for a justified and fair proceeding or investigation; or makes, presents, or uses an item in a manner to deceive any other party who is or may be engaged in the proceeding or investigation, shall be removed from the USADSF and may face further consequences, including a lifetime ban from participating in any USADSF affiliated activities.

## 6.0 MAINTENANCE OF RECORDS

Copies of written complaints/grievances and accompanying responses and documentation will be maintained in the USADSF for perpetuity including Committee's recommendations and President's responses to the recommendations.

## 7.0 DEFINITIONS

**7.1 Complaint:** A complaint is the first step in the grievance process. A complaint is any verbal, unwritten accusation, allegation, or charge against the USADSF, its affiliated National Sport Organization, or its members regarding the conditions affecting the member filing the complaint. It should be a timely expression of an issue.

**7.2 Grievance:** A grievance is defined as a formal written allegation by a member that there has been a violation, misinterpretation, misapplication, discriminatory application, or unreasonable application of a state or federal law or an official USADSF policy, procedure, rule, or regulation regarding the member's conditions.

**7.3 Confidential:** a category of information that, when disclosed to someone on a specific list of individuals (including medical providers, mental health providers, ordained clergy/pastoral counselors, and sexual assault crisis counselors) may only be shared if there is an imminent threat of harm to self or others.

**7.4 Private:** a category of information that may be shared with a small circle of individuals within the organization who have a need to know.

**7.5 Retaliation:** acts, words, or attempts to take adverse action against any individual or group of individuals because of their good faith complaint or participation in an investigation and/or resolution of a complaint arising out of a violation of this Policy. Retaliation may be committed by any individual or group of individuals.