

Dartmouth Crusaders Swim Club

Grievance Policy

PREAMBLE:

The purpose of this Grievance Policy is to enable disputes with DCSC Members to be dealt with fairly, expeditiously and affordably and privately within DCSC.

DEFINITIONS:

- *Days* -- will mean total days, irrespective of weekends or holidays.

Member -- refers to all categories of members in the DCSC, as well as to all individuals engaged in activities with or employed by DCSC, including, but not limited to, swimmers, coaches, assistant coaches, parents or guardians of swimmers, officials, volunteers, directors, organizers, volunteers and employees.

- swimmers, coaches, assistant coaches, parents or guardians of swimmers, officials, volunteers, directors, administrators and employees (including contract personnel)
- *Swimmer* – refers to a DCSC swimmer and/or their parent, guardian or designate
- *Complainant* -- refers to the member appealing a decision
- *Respondent* -- refers to the body whose decision is being appealed or person whose action or conduct is being questioned

POLICY GOALS:

DCSC is committed to providing a safe and supportive environment for its coaches and swimmers. As part of this commitment, DCSC has established a procedure to resolve grievances regarding the conduct of its members. This procedure is intended to (1) place primary responsibility with the DCSC coaches to resolve disputes affecting swimmers and take necessary disciplinary action regarding inappropriate conduct by swimmers; and (2) provide a timely and equitable procedure for the review of the coaches' decisions, and for addressing issues regarding coaches' conduct and (3) to address issues involving DCSC Club practices, decisions or policies .

COACHES' RESPONSIBILITIES REGARDING DISCIPLINE:

DCSC coaches have the initial responsibility to discipline swimmers for inappropriate conduct. It is expected that the coaches will use their reasonable discretion in imposing any discipline, and that any disciplinary action will take into account (1) the nature and severity of the conduct, (2) any prior disciplinary actions regarding the swimmer, (3) the adverse effect of the conduct on other swimmers, and (4) the application of the Code of Conduct.

Examples of disciplinary action include verbal warning, temporary *time out* from a practice, notification to the swimmer's parents, temporary suspension from some or all of DCSC activities, and expulsion from DCSC. These examples are not exclusive, and it is expected that the coaches will exercise their discretion to fashion an appropriate disciplinary action. However, the coaches will take any immediate action that is necessary under the circumstances to insure the safety of swimmers.

GENERAL GRIEVANCE POLICY:

Incidents or problems, which arise at DCSC, are best dealt with by informal grievance procedures. This informal procedure will hopefully help to calm or stop any situations before they result in full formal disciplinary procedures.

INFORMAL GRIEVANCE PROCEDURE:

If the Complainant is dissatisfied with any matter affecting the:

- Coaching / Training program provided by DCSC or his/her role within it (if any) or
- The swimming program generally
- Supervision within DCSC
- Or any other matter directly affecting DCSC's activities then:

s/he should in the first instance:

- Raise it informally with the Head Coach if it relates to *any Coaching/Training/Swimming Program or supervision matter*
- Raise it informally with any DCSC Board member if it relates to any other matter affecting DCSC's activities.

If those concerned cannot settle the matter themselves, the Complainant should in the second instance:

- Ask the President of DCSC to arrange a meeting with the Respondent present, at which time a mutually-agreed-upon Board representative, or other party neutral to the circumstances, will act to assist in negotiations aimed at resolving the dispute. This informal procedure will hopefully help to calm or stop any situations before they result in full formal disciplinary procedures.
- If after following this procedure the Complainant remains dissatisfied with the response given or the decision made, then the Complainant may make a formal grievance by providing the DCSC Board with a complaint, made in writing and provided to the DCSC Secretary, giving details of the concerns and why the Complainant is dissatisfied with the response given or decision made.

FORMAL GRIEVANCE PROCEDURE

1. If a parent or swimmer feels it is necessary to raise the issue of inappropriate conduct by a member of DCSC, the person should relay his or her concerns to a coach as soon as is reasonable under the circumstances. If the issue concerns a swimmer, it is expected that, if available, the report would be made to the coach for the swimmer who is the subject of the report. The report may be made orally or, preferably, in writing.

If the report concerns the conduct of a coach, the report should be made to the coach who is the immediate supervisor of the coach who is the subject of the report. If the issue concerns the Head Coach, the report should be made to the Secretary of the DCSC Board of Directors. If the Secretary is not reasonably available, the report should be made to the President, if reasonably available. Otherwise, the report may be made to any member of the Board of Directors.

If the report relates to a member other than a swimmer, or a coach, the report should be made to the Secretary of the DCSC Board of Directors. If the Secretary is not reasonably available, the report should be made to the President, if reasonably available. Otherwise, the report may be made to any member of the Board of Directors.

2. If a swimmer, or the parent of a swimmer, is not satisfied with the decision of a Coach directed at the swimmer, the person may request the review of the decision by way of the following procedure.
3. If the complainant is not satisfied with the action of the coach, the complainant may request that the coach's decision be reviewed by the immediate supervisor of the coach. As an example, decisions of the Assistant Coaches will be reviewed by the Head Coach. Absent circumstances beyond the control of the Complainant, any requests for review must be made within 7 days of the

date the coach relays his or her decision to the Complainant.

It is expected that the Coach will convey his or her decision as soon as reasonably possible considering the circumstances. The failure of a Coach to make a timely decision is a basis for requesting a review.

The DCSC Board of Directors is solely responsible for taking appropriate disciplinary action, at its discretion, regarding the Head Coach.

4. If the Complainant is not satisfied with the decision of the Head Coach, the Complainant may request that the decision be reviewed by a DCSC Grievance Committee.
 - a. The Grievance Committee will be appointed by the President of DCSC to deal with the complaint. The Committee will consist of three members and one alternate: ideally (1) one parent of a Senior DCSC swimmer; (2) one parent of an Age Group swimmer (TAG or lower group); (3) a DCSC Past President, who shall also be the Chair of the Committee. The alternate shall be selected at the discretion of the President. Alternate configurations may be used, subject to Board approval. Other than the Chair of the Committee, a member may not be a current member of the Board of Directors.
 - b. Absent circumstances beyond the control of the complainant, any request for review must be made in writing (including email), to the Chair of the DCSC Board of Directors Grievance Subcommittee within 7 days of the date the Head Coach notifies the complainant of his or her decision.
 - c. Upon receipt of the request for review, the Grievance Subcommittee will conduct an investigation which is reasonable in regard to the nature of the issue, to obtain the necessary facts. It is expected that this investigation would normally include personal interviews with the parties involved, and may include written testimony.
 - d. Except in unusual circumstances, the Grievance Subcommittee should complete its investigation within 10 days of the date of receipt of the request for review.
 - e. Upon completion of the investigation, the Grievance Subcommittee will hold a meeting and decide upon an appropriate response. The response may include affirming the decision of the Head Coach or revising the decision as the Committee deems appropriate. Except in unusual circumstances, the Grievance Subcommittee will hold its meeting within 7 days of completing its investigation.
 - f. Any decision of the Grievance Subcommittee must be agreed to by a majority of the members of the Subcommittee. If a majority decision cannot be reached, the decision of the Head Coach will be automatically affirmed.
 - g. The decision of the Grievance Subcommittee will be conveyed in writing to the Head Coach and the complainant. All of the proceedings of the Grievance Subcommittee, including the ultimate decision, will be kept confidential.
5. If the complainant is not satisfied with the decision of the Grievance Subcommittee, the complainant may request in writing review by the full DCSC Board of Directors. Any request for review must be made to the President of the Board of Directors. Except in circumstances beyond the control of the complainant, the request must be made within 10 days of the date the decision of the Grievance Committee is conveyed to the complainant.
 - a. Upon receipt of the request for review, the President will notify the Chairperson of the Grievance Subcommittee of the request for review, and request the Chairperson to report the findings and decision of the Subcommittee at the appropriate meeting of the Board of Directors.

- b. The President will schedule appropriate time to consider the request for review at the Board meeting schedule to occur immediately following receipt of the request for review, provided that adequate time is available for the Grievance Subcommittee to prepare its presentation, the President determines that a quorum will be present and that adequate time to consider the request is available. If the review does not occur at the Board meeting, it must be considered at the next scheduled Board meeting.
- c. The President will notify the complainant of the date and time that the request for review will be considered, and invite the complainant to attend the meeting. The President will allow appropriate time, in the President's discretion, for the complainant to advise the Board of the nature and reasons for disagreement with the decision of the Grievance Committee. No testimony will be heard by the Board.
- d. All proceedings regarding the request for review will be in Executive Session, and DCSC swimmers, coaches, and parents, may not attend. Immediately after the presentations by the complainant and the Chair of the Grievance Subcommittee, the Board of Directors will determine whether to affirm or modify the decision of the Head Coach. Neither the complainant nor the members of the Grievance Subcommittee may be present during this determination.
- e. The decision of the Board of Directors must be agreed to by a majority of those members present and participating in the review (excluding the Grievance Subcommittee). If a majority decision cannot be reached, the decision of the Grievance Subcommittee will be automatically affirmed.

Within 3 days of its determination, the President will relay in writing the decision of the Board of Directors to the complainant and the Chair of the Grievance Subcommittee. The decision of the Board of Directors is final and not subject to further review.

- 6. The coach making the disciplinary decision will determine the beginning time and date for the imposition of the disciplinary action (*i.e.*, a verbal warning is effective immediately; a suspension may occur in the future).
 - a. Any disciplinary action will be stayed while the action is being reviewed pursuant to the provisions of the Grievance Policy.
 - b. Any disciplinary action which will result in a swimmer's exclusion from participation in a DCSC sanctioned swim meet will be subject to review.

EFFECT ON DCSC BYLAWS

These grievance procedures are intended to supplement, and not supersede, the bylaws of DCSC.