

Grievance Committee Procedures for the Greater Naples Officials Association

Pursuant to the Constitution and By-Laws of the Greater Naples Officials Association (hereinafter the “GNOA By-Laws”), there is one grievance committee to serve GNOA and to address all grievances brought against any member or Sporting Division within GNOA. The make-up of the Grievance Committee (hereinafter the “GC”) will be based on terms set forth in the By-Laws, and the GC shall be bound to follow the terms of the GNOA By-Laws as well as these Procedures. The GC will follow the procedures and policies set forth below, in hearing and resolving all grievances.

1. A Grievance may be initiated by a GNOA Member or by the Board of any Sporting Division. The initial grievance shall be made in writing (e-mail is acceptable) and shall be referred to as the “Complaint.” The Member/s or Sporting Division Board which initiates the Complaint will be referred to as the “Complaining Member,” and the Member/s or Sporting Division Board which is the subject of the Complaint will be referred to as the “Grieved Member.”
2. To initiate a grievance, the Complaint must be submitted, in writing, to the Ex Officio member of GC. The Ex Officio will disseminate the complaint to the GC by email.
3. After an initial review by the GC, the first step for the GC is to take a vote to decide whether the complaint should be summarily dismissed. This vote may be done in person or via email. A summary dismissal requires a unanimous vote of the GC to dismiss the Complaint.
 - a. If the Complaint is dismissed at this stage, the GC need not meet in person, and the Ex Officio will notify the Complaining Member of the dismissal, and no further action is necessary by the GC for this Complaint.
 - b. It is not necessary to notify the Grieved Member of a dismissed Complaint.
 - c. There is no appeal from a grievance that is summarily dismissed.
4. If the complaint survives summary dismissal, then the next phase is the fact-finding phase where all witnesses and other evidence is collected by the Ex-Officio. The Ex-Officio will collect any and all eye-witness accounts, in writing; will provide a copy of the Complaint to the Grieved Member, so that he or she may respond in writing to provide his version of the events. If requested, the Grieved Member will be provided

- copies of all written eye-witness accounts, so that the Grievied Member may respond to those as well. The fact-finding phase should not last longer than two weeks, except if there is good cause for a delay. In any event, if the Grievied Member does not respond in writing within two weeks from the Ex Officio emailing their receipt of all other written statements, then the GC may proceed without a statement from the Grievied Member.
- a. During the fact-finding phase, no GC member, except the Ex-Officio, should have any contact in any form (written or oral), with the Complaining Member, the Grievied Member, or any eye-witnesses or potential eye-witnesses about the events or issues raised in the Complaint.
5. When the Ex-Officio is done gathering eye-witness statements, he will schedule an in person meeting of the GC. The attendance of all GC Members is necessary, unless members are recused pursuant to the GNOA By-Laws.
- a. Only the GC Members and the Ex-Officio are permitted to attend the GC meeting.
 - b. The Ex-Officio is responsible for taking, or designating another GC Member to take, notes of the proceedings. The Ex-Officio is also responsible for disseminating gathered information to the GC, to observe and witness the meeting and to answer procedural questions about these procedures or the GNOA By-Laws, if necessary; the Ex-Officio shall not otherwise participate in the choosing of discipline or vote in the discipline.
 - c. None of the participants in the grievance or the eye-witnesses will be permitted to attend or make statements to the GC other than the written statements submitted to the Ex-Officio.
 - d. The final decision of the GC shall be by majority vote of the Board Members present.
6. Once the GC has reached a decision, the Ex-Officio shall put the decision of the Committee in writing. The written decision should be reviewed by the GC and an opportunity should be given to the members of the GC to make any edits to conform to the vote taken at the GC meeting. Once complete, the Written decision (the “Ruling”) of the GC shall then be Published by emailing the Ruling to the GNOA Board, the Accused Member and the Complaining Member. For all purposes

hereafter, all of these parties shall be deemed to have received the Ruling on the day and time it is emailed by the Ex-Officio.

7. Any discipline set forth by the Committee in its Ruling shall become effective immediately upon the Publishing of the Ruling.
8. Appeals: Either the Grieved Member or the Complaining Member may appeal the Committee's decision to the GNOA Board. An appeal is initiated by emailing the Secretary of the GNOA Board of the desire to appeal by 5 p.m. on the fifth day following Publishing of the Ruling. The Complaining Member may appeal that the discipline was not strong enough; and, the Accused Member may appeal that the discipline was too strong.
 - a. Upon receipt of an appeal, the GNOA Board must meet, in person, within three (3) days to discuss and decide the appeal. At this meeting, the Ex-Officio of the GC will make all of the same information available to the GNOA Board that was available to and considered by the GC.
 - b. If the appeal is by the Grieved Member and the GNOA Board cannot meet within three (3) days, then the discipline will be stayed until the GNOA Board can take action and any further Grievance Committee action is completed pursuant to the procedure set forth below; if the discipline requires the payment of any fine, then the fine shall not be required to be paid until the appeal process is complete.
 - c. If the appeal was made by the Complaining Member, the only decision the GNOA Board may make, by majority vote, is to find that the discipline is too weak and recommend to the GC that the discipline should be strengthened. Absent a majority vote on this question, the appeal will fail and the discipline will be affirmed.
 - d. If the appeal was made by the Disciplined Member, the only decision the GNOA Board may make, by majority vote, is to find that the discipline is too strong and recommend to the GC that the discipline should be lessened. Absent a majority vote on this question, the appeal will fail and the discipline will be affirmed.
 - e. If the GNOA Board affirms the discipline selected by the GC, then the discipline goes back into effect (if it had been stayed) and the grievance procedure is concluded.

- f. If the GNOA Board rejects the discipline, because it is either too strong or too lenient depending on the party who made the appeal, then the case goes back to the GC to adjust the discipline consistent with the decision made on the appeal. The GC must adjust the discipline consistent with the decision made on appeal.
 - g. Upon return of the case to the GC from an appeal, the GC must meet again, in person, and modify the recommended discipline pursuant to the decision of the GNOA Board. If the discipline is not already stayed, then this second GC meeting must take place within three (3) days of the GNOA Board's meeting, otherwise the discipline will be stayed at this point until the final decision is published.
9. This procedure is intended to insure that all final disciplinary decisions come from the GC. The GNOA Board does not have the power to require the GC to issue a specific discipline, rather, may only tell the GC that it has acted too harshly and to leniently. Upon receipt of that information, the GC shall select a new discipline that conforms with the decision of the GNOA Board, by majority vote and under the same guidelines as set forth above. The second Written decision (the "Second Ruling") of the committee shall be submitted to the GNOA Board by the Ex-Officio member, the Disciplined Member and the Complaining Member and email.
- a. The GC's Second Ruling shall be final for all purposes. Any discipline set forth by the GC in its Ruling shall become effective immediately upon transmitting to the GNOA Board. Any time that the Disciplined Member was subject to discipline without any stay during the process shall count toward the discipline.
10. Possible disciplines by the GC may include, but are not limited to: Fines, game suspensions, training classes, etc.

These Procedures were approved by the GNOA Board on April 29, 2016.