

Naperville North Huskies Hockey Club

Grievance Policy and Procedures

Policy Statement:

Alleged violations of Naperville North Huskies Hockey Club ("the Club"), Amateur Hockey of Illinois ("AHAI") or USA Hockey rules/policies ("grievances") should be expeditiously and fairly resolved at the lowest possible level within the Club consistent with this Policy. Grievances may be, and generally should be, made orally to team managers. However, grievances made to the Club Board of Directors ("Board") should be in writing and in the manner described in this Policy. For the purpose of this Policy, the term "member" includes Club team players, managers, coaches, parents, guardians or others affiliated with the Club.

If a grievance arises within a team, members are encouraged to first discuss the problem with the team manager and then the coaches. Managers and coaches are encouraged to work with members to resolve grievances in a meaningful way. However, some problems may not be resolvable at the team level. Also, some complaints, by their nature, may cause the member to be concerned about discussing the matter with the team manager or coaches. In such cases, the matter may be referred directly to the Board or the Club Rules and Ethics Committee.

Grievances may arise between members on different Club teams. In such cases, members are encouraged to first discuss the problem with their own team's manager and coaches. Managers and coaches of the teams involved should work together to resolve grievances in a meaningful way. If a grievance cannot be resolved at the team level, the matter may be referred to the Board or the Club Rules and Ethics Committee.

A grievance may sometimes arise with individuals outside of the Club. This may include referees, other officials or opposing players, parents and coaches. In such cases, the matter may be referred to the Board or Rules and Ethics Committee for further action by the Club.

On occasion, the Board may consider disciplinary action against a member. This might arise due to an incident that comes directly to the Board's attention. In addition, persons outside the organization may bring complaints made against Club members to the Board for investigation and resolution. Such matters will be treated as grievances and addressed under this Policy.

Scope of the Grievance Procedures:

The grievance procedures are intended to resolve issues related to the Club and hockey. They are not intended as a means to resolve private disputes. Grievances should allege a violation of Club, AHAI or USA Hockey rules/policies (collectively "Club policies").

The grievance procedures are not intended to be used for conducting the general business of the organization. Members may, and are encouraged to, raise questions and concerns about coaching, scheduling, uniforms, fundraising, tournaments, financial matters and other issues with the Board or Club officials individually or at Board meetings. The grievance procedures are intended to address situations where there are conflicts due to alleged violations of Club policies.

The "Twenty-Four Hour" Rule:

Club members are encouraged to wait twenty-four hours after the event before raising a grievance except allegations described in the "Immediate Notification" section of this Policy set forth below.

Immediate Notification

AHAI Rules and Regulations require that the Club give AHAI immediate notification of certain allegations. Therefore, upon knowledge of any allegation of discrimination, abuse or potential abuse (including but not limited to ethnic, racial, sexual, physical or mental abuse), or consumption, use, sale, gift or abuse of mood altering substances, all members shall immediately contact the Board or the Club Rules and Ethics Committee and provide all pertinent information.

Team Managers:

Grievances about a team, its players or its coaches should generally first be directed to the team manager. Team managers should work with the members involved to resolve the grievance in an expeditious and fair manner.

Coaches:

Coaches are encouraged to meet with members to attempt to resolve grievances in an amicable fashion.

Grievances Filed with the Board

Although members are encouraged to resolve grievances at the team level, this may not always be possible. In such cases, a grievance may be referred to the Board.

1. Filing Grievances with the Board.

Grievances filed with the Board should be in writing and must identify the person making the allegation. The grievance should be submitted on the approved Club form or, at a minimum, provide the information requested on the form. Grievance Forms are available from any Board member or from the Rules and Ethics Committee. Grievances may be filed with the President or the Rules and Ethics Committee.

In some cases, the grievance may arise from an incident that is brought to the attention of the Board from outside the Club or from inside the Club without a grievance being filed. Any time the Board is considering disciplinary action without a grievance being filed, the matter shall be considered a grievance and resolved under this Policy. In such cases, the Rules and Ethics Committee shall submit the Grievance Form to the Board.

2. Board's Decision to Hear a Grievance.

The Board and Rules and Ethics Committee will initially review the grievance and determine whether the Board should formally consider the matter. For example, a grievance may not allege of violation of Club policies. If not, the matter will be dismissed by majority vote of the Board without further action. In such case, the President or the Rules and Ethics Committee shall notify the person filing the grievance of the Board's action and the reason the Board did not pursue the matter.

3. Mediation.

In some cases, the Board may determine that a grievance can best be resolved through "mediation" between the parties. Generally, relatively minor matters are the proper subject matter for mediation. In such cases, the Board may, by majority vote, order that the parties meet, discuss the grievance and attempt to resolve the issue themselves. In such cases, the Board will designate a "mediator" to help resolve the matter. The Mediator shall not be a Board member. The Mediator's role is to attempt to reach an acceptable resolution to the grievance. The Mediator shall report the results of mediation back to the Board. At that time, the Board will vote as to whether to hear the matter or dismiss it without further action.

4. Notice of Complaint.

In the event that the Board decides to hear the matter, the President or the Rules and Ethics Committee shall notify the member against whom the grievance has been filed. The notice will include the fact that a grievance has been filed, the nature of the complaint and procedures the Board will follow in resolving the grievance. The notice will also specifically inform the member that he/she will be afforded an opportunity to respond to the grievance. The notice may be oral or in writing.

5. Summary Suspension.

In some cases, a member may be suspended from Club activities, including attendance at games or practices, pending resolution of the grievance. "Summary suspensions" are appropriate only when a grievance has been filed with the Board against a member alleging conduct that poses a potentially serious threat to others. However, allegations requiring immediate AHAI notification as set forth above in the "Immediate Notification" section of this Policy are areas where summary suspensions should be carefully considered even if a written grievance has not yet been filed. Where such allegations are made in a grievance, the Board shall meet to determine whether summary suspension should be imposed. A summary suspension may be imposed upon the vote of two thirds of the Board. If a summary suspension is imposed, the President or the Rules and Ethics Committee shall inform the member of the suspension and its parameters.

6. Investigations.

Once the Board has decided to hear a grievance, it will determine if enough facts are known to make a decision on the matter. If not, the Board may direct that an investigation be conducted. The Board will appoint an individual to act as the Investigator. The Investigator will usually be from the Rules and Ethics Committee, but may be a member of the Club or an individual from outside of the organization. The Investigator should not be a member of the Board, have a personal, financial or family interest in the outcome of the matter or otherwise create the appearance of bias. The Investigator will interview the individuals and witnesses involved, review documents and other materials and collect information to the extent reasonably necessary to determine the facts of the matter. All members of the Club shall cooperate in the investigation.

7. Reports of Investigations.

Once the investigation has been completed, the Investigator shall prepare a Report of Investigation. The purpose of the Report of Investigation is to provide the Board with a factual picture of the situation. The Report of Investigation shall include the undisputed facts. Where the facts are in dispute, the Report of Investigation shall summarize the evidence on each side and the Investigator's opinion on the issue. Where the facts cannot be determined, the Report of Investigation shall so indicate. A copy of the Report of Investigation shall be provided to the Board, the party filing the grievance and the person against whom the grievance has been filed.

8. Opportunity to Respond to the Grievance.

When the Board has determined that an investigation is not necessary, a copy of the grievance shall be provided to the member against whom the grievance was made. The member against whom the grievance has been filed will be afforded an opportunity to respond to the grievance. The response may be in writing or, at the Board's option, presented in person at a closed meeting of the Board. In some cases, the response may cause the Board to believe an investigation is now necessary. In such cases, the Board will conduct an investigation and receive a Report of Investigation as provided above.

When an investigation is conducted, the party filing the grievance and the person against whom the grievance has been filed will be afforded an opportunity to respond to the Report of Investigation. The response may be in writing or, at the Board's option, presented in person at a closed meeting of the Board.

Regardless of whether or not an investigation is conducted, the person against whom the grievance has been filed has the opportunity to respond to the grievance in writing, before the Board takes any disciplinary action against the individual. The person against whom the grievance has been filed will also be afforded the opportunity to appear before the Board in person to respond to the grievance. The person against whom the grievance has been filed may waive the opportunity to respond or appear may be deemed to have waived the opportunity if he or she does not do so in a reasonable period of time set by the Board.

9. Board Review of the Grievance.

The Board will first review the Report of Investigation to determine whether further investigation is necessary. If the Report of Investigation appears to be reasonably complete, the Board will accept the Report. If the Report fails to adequately address relevant issues, the Board may, by majority vote, direct that further investigation be conducted.

The Board may request any person to appear before the Board if the Board believes that this would assist in the appropriate resolution of the matter. In such case, the person against whom the grievance has been filed will be allowed to be present to hear the witness and will be afforded the opportunity to respond to the statements of the witness appearing before the Board. However, only the Board, the Rules and Ethics Committee and/or the Investigator may question the witness. When a child is asked to appear before the Board or is the person against whom a grievance has been filed and is allowed to appear before the Board, his/her parents may accompany the child. Adults may bring a witness to the Board meeting, but the witnesses may not participate in the proceedings.

Board meetings to consider grievances shall generally be closed meetings. A quorum of Board members must be present. In addition, a representative of the Rules and Ethics Committee should be present at the meetings. The Board will consider any written response made by the person against whom the grievance has been filed. The Board will consider any testimony it received. The Ethics Committee shall provide its recommendation on the matter to the Board. The Board will decide on the disciplinary action to be taken, if any, by a majority vote. The decision will be promptly communicated to the individual and to the person filing the grievance.

Disciplinary Actions

Failure to comply with this or any other Club policy may result in disciplinary action against the member. Disciplinary action may be taken by a coach or by the Board, in accordance with the following guidelines:

1. Coaches' Disciplinary Authority:

Coaches are expected to take appropriate actions to maintain discipline on their teams. This may include, for example, "boards," "ladders," pushups or wind sprints during practices. Players may be directed to leave the ice during practices should they fail to act appropriately. However, any disciplinary action must be reasonable, not demeaning or abusive and never taken to a point where the player's health is at risk. Foul or abusive language towards players will not be tolerated. Coaches are never to lay hands upon a player as part of disciplinary action.

Game situations, such as the flow of the game, line match-ups, penalties, the score, the point in the game, player strengths/weaknesses, power plays and penalty killing, may dictate that certain players are on the ice and that other players are not. This is considered game management, not discipline, and is within the coach's reasonable discretion.

Players may be "benched" for a portion of a game for disciplinary reasons, such as bad attitude, disrespect, failure to follow reasonable directions, lack of effort, lack of attention or other similar reasons. Further, "sitting" players during the course of a game for needless or inappropriate penalties is within the coach's authority. Any such discipline must be reasonable and consistently applied. Repeated "benching" of a player during a game is indicative of a problem that should be resolved between the coach and player. When this is not successful, the player's parents and a representative of the Board should be included in the discussions.

Head coaches may suspend a player up to two games during a season as a motivational/disciplinary tool, either for violations of team rules, repeated failures to follow reasonable directions or for lack of "hustle" during a game ("Coach's Suspension"). When this occurs, the coach should explain to the player how he/she failed to meet the coach's expectations. The coach may prohibit the player from participating in practices, team meetings or other club functions from the imposition of the suspension until the suspension is served or a period of seven days, whichever is shorter. The head coach shall give notice of any Coach's Suspension to the Board, including the reasons for the suspension, its start date, whether or not the player is allowed to participate in team functions during the suspension and its conclusion.

Head coaches may request to the Board that a player be suspended for one additional game during the season ("Third Game Suspension"). A Third Game Suspension may be in conjunction with a Coach's Suspension (i.e. three consecutive games) or at different time during the season. Requests for Third Game Suspensions shall include the reasons for the suspension, its start date, whether or not the player is allowed to participate in team functions during the suspension and its conclusion. The Board will give the player notice of the proposed Third Game Suspensions and allow the player to respond in writing. The Board will consider the response, if any, and decide before the next game, by a majority vote of those voting after a quorum has been met, whether to approve or reject the coach's request.

Any requested suspension requested by a coach beyond the Third Game Suspensions shall be treated as a grievance and processed as such under the procedures described herein.

2. Board Disciplinary Authority:

The Board may take disciplinary actions against any member for violation of Club policy. This may include probation, suspension from games or practices, exclusion from Club games or other activities, expulsion from the Club or other appropriate disciplinary action. Disciplinary action against a parent or guardian may be enforced by suspending or excluding his/her child from games or practices if the parent or guardian fails to abide by the Board's action. Discipline shall be imposed fairly, consistently and in relationship to the wrongdoing. It shall be imposed without regard to the player's importance to his/her team. However, any disciplinary action taken by the Board must be imposed using the procedures outlined in this Policy.

Conflicts of Interest

Board members who have a personal, financial or family interest in the outcome of a grievance shall not participate in any manner in the Board's consideration of the grievance. This includes situations where the Board member is the person who has filed the grievance, is the person against whom the grievance has been made, is a material witness to the matter, is the spouse or parent or guardian of such persons or has some other material conflict of interest. Board members who have conflicts of interests should voluntarily remove themselves from the proceedings. If they do not, the remaining Board members will vote on whether or not he or she should participate, outside the presence of the Board member in question.

Retaliation and Bad Faith

No retaliation shall be taken by any member against a person who makes a grievance in good faith. "Good faith" means that the person who makes the grievance actually believes that a Club policy has been violated and has a reasonable basis in that belief. A person who does not make a grievance in good faith is subject to disciplinary action by the Board.

Naperville North Huskies Hockey Club

Grievance Form

Name of the Person Filing the Grievance:

Nature of the Problem:

When Did the Problem Occur:

Description of What Happened:

Who Saw What Happened or Knows About the Problem:

What Should Happen:

Date:

Your Signature:

Please deliver this to a Board member or member of the Rules and Ethics Committee