

**Capital District Softball Umpire Association**  
**Grievance, Grievance Resolution Procedures / Discipline of Members**

1. A grievance is a complaint made against a member for an alleged failure to comply with these Bylaws, Standing Order or other policy or procedure adopted by the Executive Board or the membership of the corporation promulgated by the Executive Board or such other policy or procedure as may, from time-to-time, be adopted by the Executive Board of the membership of the corporation.
  
2. A grievance may be brought by a Member in Good Standing against another member or Capital District Softball Umpire Association, or a grievance may be brought by the Executive Board on behalf of the CDSUA against a member.
  
3. A member may be placed on probation or suspended from the CDSUA for not more than one year, or **may be expelled** through the actions of the Executive Board for any of the following reasons:
  - for failure to comply with the established authority or regulation of the CDSUA
  - delinquency in payment of authorized charges, dues, fines, penalties or assessments
  - any other conduct conclusively established to be contrary to the best interests of softball, Section 2 guidelines and the CDSUA.
  
4. In situations where disciplinary actions must take place the Executive Board will establish a Disciplinary Committee to hear complaints/allegations to establish the validity of the grievance.
  - The Disciplinary Committee shall consist of a member of the Executive Board designated by the President, who shall chair the Disciplinary Committee and shall only vote in the event of a tie;

**and**

  - The Disciplinary Committee shall consist of at least three (3) active members and not more than five (5) active members of the Executive Board of the CDSUA selected by the Chairperson/President.

1. SPG. U-M Standard Practice Guide: Grievance Procedure and Practice Guide
2. Resources Workable: Grievance Procedure Company Policy
3. Indiana University: Problem or Grievance Resolution Procedure
4. Local HS Sport Organization's Constitutions

5. The member accused of misconduct/wrongdoing may respond to the allegations in writing addressed to the Disciplinary Committee, and may address the Disciplinary Committee at its first meeting.
  - Such right shall be afforded prior to the imposition of any fine, penalty, or any other disciplinary action **unless immediate action is necessary.**
6. The Disciplinary Committee shall consider the response of the member accused of misconduct/wrongdoing along with such other information and/or material as the members of the Disciplinary Committee deem necessary and appropriate.
7. The Disciplinary Committee may continue its investigation and deliberation until its members are satisfied that a full investigation has been completed.
8. The Disciplinary Committee shall also recommend sanctions for such violation(s). Sanctions may include a formal warning in writing, a period of suspension, or expulsion from the organization. The findings of the Disciplinary Committee shall state the reasons for any sanctions recommended. Said findings shall be forwarded to the Secretary for consideration by the Executive Board.
9. Within five (5) calendar days of the close of its investigation, the Disciplinary Committee shall render a written report of findings stating the violations, if any, of the Bylaws, Standing Orders or other policy or procedure adopted by the Executive Board or the membership of the corporation the member committed.
  - The committee can request more time to complete their investigation if needed.
10. In situations where the Executive Board has been required to consider disciplinary action against a member accused of misconduct/wrongdoing, a letter will be sent to the member via certified mail, **OR** certified email regarding the decision of the Disciplinary Committee within three (3) days of the meeting.
11. If that member is dissatisfied with the decision of the Disciplinary Committee they shall have the right to be heard in person or by written statement made by himself/herself in his/her own defense to the

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Chairperson via certified mail, **OR** certified email within (5) days of receipt of the notification.

12. A hearing meeting of the Executive Board must be convened by the Chairperson within ten (10) days of receipt of the request to hear the appeal. A letter will be sent to the member, via certified mail, **OR** certified email regarding the final determination of the Executive Committee within five (5) days of the hearing.

- The Executive Board shall consider and act on the findings of the Disciplinary Committee;
- The Executive Board shall take the following action:
  1. If the Disciplinary Committee has found that the member has not violated the Bylaws, Standing Order or other policy or procedure adopted by the Executive Board or the membership of the organization, the Executive Board shall advise the member of such decision and that the matter is closed;
  - If the Disciplinary Committee has found that the member has violated the Bylaws, Standing Order or other policy of procedure adopted by the Executive Board or the membership of the corporation, then the Executive Board shall:
    1. Advise the member of the decision of the Disciplinary Committee;
    2. Invite the member to submit any additional information to the Executive Board that he or she believes should be considered by the Executive Board along with any comments or arguments as to why the member believes that decision of the Disciplinary Committee was incorrect;
    3. Review the materials considered by the Disciplinary Committee, the decision of the Disciplinary Committee and any additional information submitted by the member and vote to accept, reject, or modify the decision of the Disciplinary Committee. The Executive Board shall only disregard the factual findings of misconduct/wrongdoing made by the Disciplinary Committee if such factual findings are wholly without support in the record of the proceedings of the Disciplinary Committee. The Executive Board may, however, accept, reject or modify the sanctions recommended by the Disciplinary Committee in its

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discretion so long as the reasons for the rejection or modification of the sanction are stated in writing and given to the member.

4. The determination of the Executive Board shall be final and not subject to further review within CDSUA.
  - a. **Discipline Notice:** When a member is suspended, the Executive Board shall notify all concerned that said member is no longer able to accept assignments or affiliation as a member of the CDSUA. No member shall knowingly officiate with a suspended or expelled member of the CDSUA.

13. If the member is dissatisfied with the “final determination” of the Executive Board, the member may request a hearing by the NYUSA Umpire-In-Chief and/or the NYSSO President, via certified mail, **OR** certified email within seven (7) days of receipt of the “final decision.” The hearing would take place at the next State Executive Meeting.

14. The respective State officials (NYSUSA or NYSSO) reserve the right to the decision of the “final appeal”

*\*Email will be utilized as a method of communication unless the member does not have or use email.*

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