

Grievance Procedure

Capital District Chapter of New York State Certified Football Officials

It is recognized that in any group of individuals, differences and misunderstandings may arise. Successful resolution of differences depends on the willingness of the principal parties involved to communicate with one another. Every effort should be made to resolve disputes in an informal manner whatever issues arise within the organization. However, if issues cannot be resolved informally, it is the policy of the Capital District Football Officials Association (CDFOA) to provide an orderly and formal procedure to deal promptly and fairly with any serious differences of opinion which cause a member to believe that they have been dealt with unjustly.

A *grievance* is a complaint on the part of an active or associate member (herein after referred to as member) relating to an action taken by another member or association authority (herein after referred to as aggravator) that violates a provision of published CDFOA documents including the CDFOA Constitution, Bylaws or Policies & Procedures, that in a any way adversely affects the member.

Procedure

Informal Complaint Resolution

- Member: Orally discusses the complaint with the aggravator and seek a resolution as soon as practical (no longer than one calendar week). The member shall inform any member of the CDFOA Executive Committee that a complaint is in progress.
- Aggravator: Respond orally to the member's complaint within one calendar week. Note: Initial responsibility for resolving a complaint lies with the aggravator.

Formal Complaint Resolution

- Member: Submits a complaint to the CDFOA Grievance Committee Chairperson in writing within one week of the aggravator's oral response if not satisfied with the aggravator's resolution of the complaint. The grievance shall state the alleged offense, the basis of the offense and the suggested resolution to the grievance.
- The Grievance Committee Chairperson shall immediately notify the aggravator of the filed grievance. The chairperson will make the appropriate number of copies (one for each Committee member and principals involved). The Chairperson shall convene the Committee and principals within one week¹ after receipt of documentation. Before presentation of the material any Committee member may disqualify themselves, or a principal may request to have a Committee member disqualified². All persons concerned, including witnesses, shall be notified of the date, time, and place of the hearing.

¹ May be extended up to 30 calendar days during off season (December through June) based upon the difficulty and expense involved for members meeting during the off season. Procedure defines time periods to be applied on season (July through November).

² Grievance Committee members should not include principal parties (parties that may have been involved in the grievance in any way). If a disqualification occurs, an alternate may be selected with the approval of the member and the aggravator.

Grievance Procedure

Capital District Chapter of New York State Certified Football Officials

Grievance Committee Charge

The Committee shall determine whether the CDFOA Constitution, Bylaws or Policies & Procedures have been fairly administered and interpreted. Cases may involve financial payments, organizational advancement, adherence to professional standards, or disciplinary actions. The Committee shall have the authority to hear grievances, and make recommendations to the President regarding their resolution. The Committee will not substitute its substantive judgment on such matters for those of a regularly constituted CDFOA authority³.

At the initial meeting, the Chairperson shall ensure that the following procedures are followed:

- Principals, or their designated representatives, may be present when evidence is introduced and each principal will be given the opportunity to make a final statement after the questioning of all persons is completed.
- All CDFOA meetings are open; however either principal may request that portions of the hearing be closed. Such requests will not be unreasonably denied by the Committee, and will be determined by Committee majority vote.
- Proceedings will be conducted under *Roberts's Rules of Order*; procedural disputes will be resolved by majority vote of the Committee.
- At the conclusion of the proceedings, deliberations will be conducted in closed session; a majority decision, by secret vote, will constitute the finding of the Committee.

Grievance Committee Recommendation

The Chairperson shall provide in writing, a recommendation, reviewed and initialed⁴ by all Committee members, and forwarded to the principals, and members of the Executive Committee of the CDFOA within one week.

President's Decision

The President's decision shall be stated in writing within one week after receipt of the findings of the Grievance Committee, and shall be distributed to the principals and the Executive Committee of the CDFOA. The decision is final and binding. The decision may be made public by the principals or the President.

³ Committee recommendations are limited to the interpretation or application of CDFOA Constitution, Bylaws, Policies & Procedures, and common practices. The Committee has no authority to add, subtract from, or modify such items.

⁴ Electronic confirmations of review are acceptable. Chairperson shall be authorized in this instance to initial for the respondent if this method is used. It is suggested that the Chairperson retain all copies of such responses and include this information with archive materials.