

USTA New England Grievances and Grievance Procedures

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1. Grievances

1.1 USTA League and USTA Jr. Team Tennis Grievances

USTA League and USTA Jr. Team Tennis grievances are governed by the national USTA League Regulations, the national USTA Jr. Team Tennis Regulations and the USTA New England Section Regulations which are all published separately. The national and section USTA League Regulations can be found on the USTA New England web site www.ustanewengland.com by selecting Leagues and then Regulations. The USTA Jr. Team Tennis Regulations can also be found on the USTA New England web site www.ustanewengland.com by selecting Jr. Team Tennis and then USTA National JTT Regulations for national regulations or selecting USTA New England JTT Regulations for section regulations. Those decisions are final and binding.

1.2 All Other Grievances

All non-USTA League or non-USTA Jr. Team Tennis grievances alleging that any person has violated the USTA or USTA New England Constitution or By-laws, the Rules and Regulations of the USTA or USTA New England, the Rules of Tennis, or the accepted standards of conduct, fair play and good sportsmanship shall be submitted in writing on the USTA New England Grievance Initial Filing Form. If there is a question as to the appropriate committee, the USTA New England President shall decide. A grievance against the administration shall be heard in the same manner as any other grievance.

1.3 Filing a Grievance

Any grievance must be submitted in writing on the USTA New England Grievance-Initial Filing Form and must be sent via first-class, certified or registered mail to Grievance Committee, c/o USTA New England Executive Director, 110 Turnpike Road, Westborough, MA 01581. The USTA New England Grievance-Initial Filing Form may be found in section 4.1 of this document. All grievances must be submitted within 30 days following the date the alleged violation occurred. However, if the alleged violation is based on falsification of age or other information, the written grievance shall be mailed within 30 days after the person filing the grievance has known or should have known of such falsification. Absent good cause shown, grievances not mailed within 30 days will not be accepted.

1.4 Notification

At the time a grievance is filed, the chair of the committee shall send a copy of the grievance to the party or parties against whom the grievance has been made.

1.5 Authority

All USTA New England Committees shall have the authority to dismiss any grievance with or without a hearing, or reprimand, suspend or expel any player or organization from participation in tournaments or other activities of USTA New England. The USTA New England Grievance Committee ("Grievance Committee") shall also have the authority to affirm, modify or reject any prior committee decision and to impose any additional penalties it may deem appropriate. For purposes of processing a grievance, all USTA New England committee members who have started to process a grievance will, wherever possible, continue to serve as a member of the committee until a decision is rendered.

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1.6 Costs

Each side will be responsible for its costs for any and all hearings.

1.7 Quorum

A quorum for the purposes of addressing any grievance shall consist of 50% or more of the committee members and such a quorum must be present for the transaction of business of the committee concerning grievances. At least one committee member must be present at any face-to-face hearing that occurs. The other committee members may be present at a face-to-face hearing or may participate by video conference or teleconference at the discretion of the chair.

1.8 Hearings

At a hearing, the grievant shall have the right to participate, with not more than two representatives or attorney, to present testimony and other evidence. The grievant and the committee members may participate by video conference or teleconference. However, if a hearing occurs and if the grievant prefers a face-to-face hearing, at least one committee member shall be present at the hearing. Other committee members may participate by video conference or teleconference at the discretion of the chair. If any witness cannot be present at a face-to-face hearing to present evidence, the witness may be allowed to participate by video conference or teleconference at the discretion of the chair.

1.9 Non USTA New England Grievance Decisions and Sanctions

USTA New England will honor all decisions and any sanctions imposed by the USTA Grievance Committee and any other USTA Section Grievance Committee.

1.10 Appeal to USTA

USTA New England allows an aggrieved player who has been suspended for more than six (6) months by USTA New England to appeal the decision to the USTA Grievance Committee after the grievant has exhausted the USTA New England grievance procedures. The USTA Grievance procedures may be found in Bylaw 43 of the USTA Constitution and Bylaws.

1.11 Participation during Grievance Procedures

An individual may continue to participate in tournaments or other USTA New England activities during an investigation and hearing until a decision has been reached by the Committee to suspend or expel the person from tournaments or other USTA New England activities. Once a decision has been reached to suspend or expel a player from tournaments or other USTA New England activities, the player may not continue to participate until the decision is overturned by the USTA New England Grievance Committee or until the term of the suspension has ended.

2. Grievance Procedures

2.1 Investigation and Review

Upon receipt of a USTA New England Grievance-Initial Filing Form as noted in Section A. 2 above, the chair of the committee shall promptly cause an investigation of the alleged violation to be made as soon as the committee deems appropriate. If the chair decides that a hearing is necessary, the chair may

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arrange for a conference call or face-to-face hearing and shall give the person under review not fewer than seven days prior written notice. Upon the receipt of a USTA New England-Request for Hearing Form, the chair shall arrange for a conference call or face-to-face hearing and shall give the person under review not fewer than seven days prior written notice.

2.2 Decisions

Upon reaching a decision, the chair of the committee shall issue its decision on the USTA New England Grievance-Grievance Decision Form in writing which shall include its findings of fact and appeal rights. The chair shall also promptly notify the person and the USTA New England office of its decision.

2.3 Appeal

Within 15 days after receipt of a written notice of decision from the chair of a committee and provided that no conference call or face-to-face hearing was previously conducted on the same grievance, the person penalized may request a hearing on the USTA New England-Grievance Request for Hearing Form. If a previous conference call or face-to-face hearing was conducted, the person penalized may not appeal the same decision to the same committee but may appeal the decision in writing on the USTA New England Grievance-Grievance Appeal Form to the USTA New England Grievance Committee according to the procedures outlined in Section 3 below.

3. Grievance Appeal Procedures

3.1 Composition of the Grievance Committee

There shall be a USTA New England Grievance Committee comprised of a minimum of a chair, the chair of the Adult Players Committee, the chair of the Player Development Committee and two (2) additional members appointed by the USTA New England President. Other members may be appointed by the USTA New England President if s/he considers it appropriate. All members shall serve for a term of one year subject to reappointment at the end of that period or until their respective successors are appointed. The primary role of the USTA New England Grievance Committee shall be the enforcement of the rules and regulations of USTA New England and the USTA.

3.2 Grievance Appeal Investigation and Review

Upon receipt of a USTA New England Grievance - Grievance Appeal Form, the chair of the USTA New England Grievance Committee will promptly cause an investigation of the appeal to be made as soon as the committee deems appropriate. The review will include but not be limited to the finding of facts, the procedures followed during the previous hearing, and the decision of the committee. The USTA New England Grievance Committee shall not be required to hold a hearing, and its decision may be based entirely on its review of the committee's decision. However, the USTA New England Grievance Committee may consider new evidence as it, in its sole discretion, deems appropriate, or the USTA New England Grievance Committee may return the case to the committee for reconsideration. If the chair decides that a hearing is necessary, the chair may arrange for a conference call or face-to-face hearing and shall give the person under review not fewer than seven days notice. In any such review any member of the committee from which the decision was appealed, shall not participate in the decision, except to give evidence.

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3.3 Grievance Appeal Decisions

Promptly following its review, the USTA New England Grievance Committee shall notify the parties and the USTA New England office of its decision on the USTA New England Grievance-Grievance Appeal Decision From in writing, which shall include its decision and reasons for its decision. Decisions of the USTA New England Grievance Committee shall be final and binding.

USTA New England allows an aggrieved player who has been suspended for more than six (6) months by USTA New England to appeal the decision to the USTA Grievance Committee after the grievant has exhausted the USTA New England grievance procedures. The USTA Grievance procedures may be found in Bylaw 43 of the USTA Constitution and Bylaws.

4. Grievance Forms

4.1 USTA New England Grievance – Initial Filing Form

All non-USTA League or non-USTA Jr. Team Tennis grievances alleging that there has been a violation of the USTA or USTA New England Constitution or By-laws, the Rules and Regulations of the USTA or USTA New England, the Rules of Tennis, or the accepted standards of conduct, fair play and good sportsmanship shall be submitted in writing on this USTA New England Grievance - Initial Filing Form. Any grievance must be sent via first-class, certified or registered mail to the Grievance Committee, c/o USTA New England Executive Director, 110 Turnpike Road, Westborough, MA 01581. All grievances must be submitted within 30 days following the date the alleged violation occurred. However, if the alleged violation is based on falsification of age or other information, the written grievance shall be mailed within 30 days after the person filing the grievance has known or should have known of such falsification. Absent good cause shown, grievances not mailed within 30 days will not be accepted.

Grievance Filed by: _____
(Name-print) (Signature)

Contact Information: _____
(Street, City, State, Zip)

(Telephone number) (Email Address)

Grievance Filed Against: (Name) _____

Contact Information: _____
(Street, City, State, Zip)

(Telephone number) (Email Address)

Description of Grievance (Be specific, please provide factual information, supporting documents, times and dates. Use additional pages if necessary):

OFFICIAL USE _____
Date Received by Executive Director

