

# Florida LMSC Grievance Procedure

2006

- The only grievances that will be considered at the LMSC level are those for unsportsmanlike conduct as identified in Article 4.02 of the current USMS Rule Book. Any registered member of the Florida LMSC, any individual officially acting on behalf of the LMSC, or any registered LMSC club may file an official grievance.
- The written grievance shall only be sent to the LMSC chair. It must be a concise written statement of the behavior or circumstances involved and must be signed by the person making the complaint. The complaint shall clearly identify by name the person/party making the complaint and the name of the person/party against whom the complaint is being made.
- The Florida LMSC Chair will determine if the content of the complaint involves an issue identified in USMS Article 4.02. If the content does not, the complaint will be dismissed and a written reason for the dismissal will be sent to the person who filed the complaint. If the content does fulfill the USMS criteria, the LMSC chair will appoint a registered Florida LMSC member to act as mediator between the two parties.
- The mediator will send a copy of the complaint to all people/parties named in the complaint, who then have the right to make concise written replies to the complaint. The replies must be returned to the mediator within twenty days from the date the mediator sent the notice of complaint.
- After all written statements have been sent to the mediator, or the allowed time for the response has elapsed, the mediator will try to find a mutually agreeable resolution to the conflict. If all parties agree to the mediator's resolution, the written agreement will be signed by everyone involved and sent to the LMSC Chair for approval.
- If the mediator is unable to resolve the conflict to the satisfaction of all of the parties, he/she will designate three registered members of the LMSC to act as a hearing panel to resolve the controversy. The mediator will chair the panel but will not have a vote on the resolution.
- The hearing panel will consider all statements already submitted, and it can take additional statements from any other witnesses having first-hand information. Names of witnesses will be supplied by the person/party filing the grievance and the person/party named in the grievance. The hearing panel will then resolve the controversy by a majority vote and forward a written final resolution, including any dissent, to the LMSC Chair and to the people/parties named in the grievance. The written resolution will also include notice to all parties of their right to appeal to the USMS National Board of Review (USMS Rule Book, Article 4.03.3).
- Any penalties recommended in the resolution must be in accordance with USMS Rule Book Article 4.03.1, although the LMSC may withhold imposition of any penalty pending an appeal to the USMS National Board of Review.