

Florida LMSC Grievance Policy

Developed in 2006 - Updated in 2022

I. Conduct of Members

Article 402 of United States Masters Swimming [Rule Book](#) addresses Conduct of Members. Standards for membership conduct are addressed in Article 402.1

II. Grounds for Grievances

The only grievances to be considered at the LMSC level will be those for unsporting conduct as identified in Article 402.4 of the current USMS Rule Book.

III. Jurisdiction of the Florida LMSC (Article 403.2)

The jurisdiction of disputes arising within our LMSC and not brought to us by USMS shall be handled according to our LMSC rules and procedures. Any appeal of the LMSC's decision shall be made to the USMS National Board of Review.

Florida LMSC Grievance Procedure

1. 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.
 - A. Send the written grievance 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.
 - B. The Florida LMSC Chair will determine if the content of the complaint involves an issue identified in USMS Article 402.4. 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.
 - C. 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.
 - D. 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.
 - E. 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.
 - F. The hearing panel will consider all statements already submitted, and 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.
 - G. 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.
 - H. 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).
2. Any penalties recommended in the resolution must be in accordance with USMS Rule Book Article 403.1 General Jurisdiction.
3. The LMSC may withhold imposition of any penalty pending an appeal to the USMS National Board of Review.

Florida LMSC Recommended Grievance Submission Form

To all Florida LMSC members: According to our By-Laws, the Florida LMSC only accepts grievances for unsporting conduct as stated in Article 402 of the United States Masters Swimming Rule Book. Please use the following form as an aid to make sure that your submission is complete so that your grievance can be reviewed and evaluated properly. Please submit your form to the Florida LMSC Chair. Thank you.

1. _____
Name(s) of the person(s) and organization filing the grievance, and contact information. _____ Filing Date

2. _____
Name(s) of the person(s) whose conduct gave rise to this claim, and contact information.

3. _____
Give a brief description of the conduct the reasons why it is unsporting. _____ Date of Conduct

4. Please describe below what and where the unsporting conduct occurred, giving specific details of what happened before, during, and after.

5. _____
Please provide names and contact information for any witnesses of the unsporting conduct.

Submitted by: _____
Email: _____
Phone #: _____