

USA Field Hockey Grievance Procedures

Designation of Complaints

The following kinds of complaints may be filed with USA Field Hockey:

- a. Administrative Grievance. USA Field Hockey or any member of USA Field Hockey, may file a complaint pertaining to any matter within the cognizance of USA Field Hockey, including but not limited to any alleged violation of or grievance concerning: (i) any USA Field Hockey policy rule or regulation, (ii) any provision of USA Field Hockey's Bylaws, (iii) any provision of the USA Field Hockey Code of Ethics (except for SafeSport violations), (iv) alleged non-compliance of the USOPC Bylaws, or (v) alleged non-compliance of the Sports Act by USA Field Hockey.
- b. Right to Compete. Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged denial, or alleged threat to deny, of that individual's opportunity to compete in a USA Field Hockey sanctioned competition or in a protected competition as referred to in the Sports Act and the USOPC Bylaws.
- c. SafeSport Violations. In the event that a party is alleged to have violated the US Center for SafeSport's ("USCSS") Code, and /or the SafeSport section of the USA Field Hockey Code of Conduct, USA Field Hockey shall report and refer such matters that fall under USCSS' jurisdiction to USCSS and, shall have jurisdiction over all other matters, unless USA Field Hockey is informed by USCSS that it is taking discretionary jurisdiction over a matter. Nothing herein, shall supersede any local, state, or federal reporting requirements or jurisdiction.

Jurisdiction

Any member of USA Field Hockey, by reason of membership, agrees to be subject to these complaint procedures and, subject to any right to proceed to arbitration as referred to in these procedures, agrees to be bound by any decision rendered pursuant to these complaint procedures.

Manner of Filing

Except in the case of expedited procedures, the complainant shall file the complaints to SafeSport@usafielddhockey.com to notify the Executive Director and the Chair of the Judicial Committee. Except for reports filed pursuant the U.S. Center for SafeSport Code the complaint shall set forth in clear and concise language, preferably in numbered paragraphs:

- (i) the name and identifying membership information of the parties, (ii) the alleged violation, grievance, denial, noncompliance or threat to deny (iii) the remedy requested, (iv) any supporting documentation. The complainant shall sign the complaint under oath.

USA Field Hockey will provide notice of the proposed action, charges, or alleged violation in writing with the supporting documentation filed by the filing party, and the

consequences if or remedy to requested if found to be violated to the respondent within a reasonable time after receipt, not to exceed 14 business days, without just cause for delay.

The respondent may file an answer and/or counterclaim which must be signed under oath with any supporting documentation and the respondent may also provide reasons why the matter should not taken on by the NGB.

USA Field Hockey will deliver the entire answer and/or counter claim to the complainant in a reasonable time after receipt, not to exceed 14 business days, without just cause for delay.

All parties will identify any witnesses that will appear at the hearing and provide the same to all parties and USA Field Hockey. Evidence will also be provided to all parties so that evidence can be inspected within a reasonable amount of time to prepare one's position in the matter.

SafeSport complaints should be sent to SafeSport@usafieldhockey.com.

- a. Documents Provided to Panel: Within ten (10) days of the appointment of the Hearing Panel (detailed below), the Executive Director (or his or her designee) will provide to the Chair of the Hearing Panel a copy of each of the following documents: (i) the complaint; and (ii) all materials filed with the complaint, if any.
- b. Affected Parties: The Hearing Panel shall ensure that any person whose interests are affected by the relief sought in the complaint and/or any counterclaim (an "Affected Party") is given timely notice of the proceeding and is provided with all materials described in Section 15.3. An affected party shall be eligible to participate fully in the proceeding as if an original party thereto, including the hearing. Any individual receiving notice of the proceeding as a potentially Affected Party shall be bound by the decision of the Hearing Panel, even if they choose not to participate.
- c. Timeline: The Hearing Panel shall establish a timeline for the disposition of the complaint as detailed below.

USA Field Hockey prohibits retaliation against any individual for filing a complaint in good faith and will discipline those that are found to have retaliated after an investigation pursuant to USA Field Hockey's Whistleblower policy.

Filing Fee

Except in the case of expedited procedures, and a U.S. Center for SafeSport complaint as detailed below, a complaint filed by an individual shall be accompanied with a \$250 filing fee. A complaint filed by an organization shall be accompanied with a \$500.00 filing fee, except that USA Field Hockey is not required to pay a filing fee. The complainant may request that the filing fee be reduced or waived for reasons of significant financial hardship. If such request is made, the Judicial Committee shall determine whether to reduce or waive the filing fee. If the complaint is upheld by the Judicial Committee, the fee will be returned. Notwithstanding the foregoing, complaints filed by one member against another member alleging a U.S. Center for SafeSport violation may be made without incurring a filing fee of any kind.

Statute of Limitations

A complaint filed under this Article XV must be filed within the following time frames based on the type of complaint:

- a. An Administrative Grievance must be filed within sixty (60) days of the occurrence of the alleged violation or grievance, except as provided below.
- b. A Right to Compete complaint must be filed within six (6) months of the denial or threat to deny.
- c. Complaints alleging misconduct within USA Field Hockey's SafeSport Policy (Except for those matters subject to the jurisdiction of USCSS):
 - i. Must be filed within five (5) years of the occurrence of the alleged violation, incident or grievance. In the case of a person who was a minor at the time of the occurrence of the alleged violation, incident or grievance, the complaint must be filed no later than five (5) years following the person's eighteenth (18th) birthday.
 - ii. However, grievances alleging sexual misconduct as defined in USA Field Hockey's SafeSport Policy are not subject to any statute of limitations.

Field of Play Decisions

The final decision of an umpire during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the umpire) shall not be reviewable through the procedures for, or the subject of, Administrative Grievances or Right to Compete Complaints unless the decision is: (i) outside the authority of the umpire to make, or (ii) the product of fraud, corruption, partiality or other misconduct of the umpire. For purposes of this Section, the term "umpire" shall include any individual with discretion to make field of play decisions.

Administration

The Judicial Committee shall generally administer and oversee all administrative grievances and right to compete matters filed with, and under the jurisdiction of, USA Field Hockey. The Judicial Committee shall be responsible to ensure that all complaints are heard in a timely, fair and impartial manner. Except for expedited hearings, which shall be heard in a manner set forth in the Expedited Procedures section of these procedures, all hearings will be heard within 90 days after the last filing with USA Field Hockey. The Judicial Committee may promulgate procedures in addition to those set forth in these Bylaws, but which may not conflict with any provisions of these Bylaws, for the effective and timely administration of complaints filed with USA Field Hockey.

Hearing Panel

Except in the case of an expedited procedure, upon the filing of a complaint, the chair of the Judicial Committee, after consultation with the other Committee members, shall appoint a hearing panel consisting of three (3) individuals to hear the complaint, which shall include at least one (1) athlete. The Hearing Panel may consist of (a) Judicial Committee members, (b) members of the Ethics Committee and/or (c) other individuals identified by the Judicial Committee. The non-athlete hearing panel members need not be members of USA Field Hockey or involved in the sport of field hockey. However, all hearing panel members must be disinterested and impartial individuals that are fact finders and continue to follow these requirements throughout the course of the hearing or they will be replaced. Out of the members of the appointed hearing panel, the Judicial Committee shall also appoint a chair of the Hearing Panel. USA Field Hockey will disclose the panel members to the complainant and respondent.

Conduct of the Proceeding

Except in the case of expedited procedures, the Hearing Panel shall rule on all motions and other matters raised in the proceeding. The respondent may make a motion to dismiss and/or the hearing panel may on its own dismiss the matter on the grounds including, but not limited to jurisdiction, statute of limitations, failure to state a case and/or compliance with these Bylaws. If the complaint is not dismissed, the hearing panel shall hold a hearing on the complaint. The hearing panel shall set such timelines and other rules, not inconsistent with the provisions of this section regarding the proceeding and the conduct of the hearing as it deems necessary. The hearing shall be informal, except that testimony shall be taken under oath.

The hearing may be conducted by teleconference, if necessary or convenient time for both parties. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument. Members of the hearing panel shall have the right to question witnesses or the parties to the proceeding at any time.

Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript.

Expedited Procedures

If a complaint arises during the course of a competition or during travel by a team to a competition and it is necessary to expedite the proceeding in order to resolve a matter relating to the competition and compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties,

such complaint will be filed with the Team Coach or Team Leader and shall be heard by a Hearing Panel appointed by the Team Coach or Leader in consultation with the Judicial Committee (which may be telephonic and which may take place to establish a panel prior to the competition). The hearing panel shall consist of three (3) individuals and include the Team Coach, the Team Captain and an athlete, so long as no such person is involved in or may be affected by such complaint, or the decision of the hearing panel rendered on the complaint. Such complaints shall be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the hearing panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair to the parties involved.

Complaints Involving Selection to Participate in a Competition

Except in the case of expedited procedures, where a complaint is filed involving selection of an individual to participate in a competition, the complainant shall include with the complaint a list of all other individuals, together with their contact information, that may be adversely affected by a decision rendered on the complaint. The hearing panel shall determine which additional individuals must receive notice of the complaint. The complainant shall then be responsible for providing appropriate notice to these individuals. Any individual so notified then shall have the option to participate in the proceeding as a party. If an individual is notified of the complaint, then that individual shall be bound by the decision of the hearing panel even though the individual chose not to participate as a party.

Decision

All decisions, including those of panels appointed for expedited procedures, shall be determined by a majority of the hearing panel. The Hearing Panel's decision shall be in writing and distributed to the parties. The Hearing Panel's decision will be final and binding upon the parties unless a party is entitled to seek arbitration as referred to in the section below.

Where a Hearing Panel decision has been rendered in a matter where the discipline imposed is suspension, permanent expulsion or permanent ineligibility, USA Field Hockey shall publish the following information on its website and newsletter:

- a) The name of the individual;
- b) The state of residence of the individual where the violation occurred and/or where the individual resides at the time the discipline is imposed;
- c) The nature of the grievance, the USA Field Hockey bylaw, rule or policy which was violated, and the discipline imposed; and
- d) In the case of a suspension, notice that the suspension has been lifted following expiration of the suspension.

Arbitration

Any party may pursue arbitration with the American Arbitration Association in the event the decision involves the opportunity of the party to participate or to seek to participate in a protected competition, as referred to in and in accordance with applicable provisions of the Sports Act and the USOPC Bylaws. The arbitration will be binding.

Grievance Procedure Lead

Caitie Tornes (ctornes@usafielddhockey.com) can be contacted with any questions about these procedures. The Judicial Committee and Chair are responsible for these procedures and enforcement of these procedures.

For Athletes With Questions Regarding these Grievance Procedures

The Athlete Ombudsman provides cost-free, independent and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including NGB-athlete agreements, codes of conduct or team selection procedures. The Athlete Ombudsman can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombudsman at:

PHONE: (719) 866-5000
EMAIL: ombudsman@usathlete.org
WEBSITE: www.usathlete.org

For Additional Questions Regarding these Grievance Procedures

Please contact Holly Shick, Chief Ethics & Compliance Officer, USOPC

PHONE: 719-866-2018
EMAIL: Holly.Shick@usopc.org