

**I. GRIEVANCE PROCESS:**  
(revised December, 2017)

1. Filing Process.

- a) The USBCHA should be the preferred avenue for grievance filing, when applicable. Grievances regarding a single incident should not be filed with both the USBCHA and NEBCA.
- b) Any person desiring to file a grievance (protest or complaint) regarding any alleged violation of the NEBCA rules or bylaws may do so by submitting the grievance in writing to the NEBCA President.
- c) A grievance may consist of either a letter or email directed to the President of NEBCA dated within 14 calendar days of the alleged violation or the closing of the trial involved, whichever is later.
- d) The grievance must state the name of the complainant, contact information (including email), name of individual(s) involved and their contact information, the date and time, and location of the conduct in question, any witnesses and their contact information, and a detailed factual description of the incident. If there are no known witnesses other than the parties, the complainant must so state in the complaint/protest. A \$25 filing fee must be submitted with any grievance filing. This fee will be refunded if the Board of Directors determines that the grievance is substantiated.
- e) Upon receipt of a grievance, the President shall notify the grieved individual(s) in writing (email or mail) of the grievance against them and shall provide a copy of the materials submitted by the Complainant. The grieved individual(s) shall have 10 calendar days to submit a written response to the President. The response should be sent by mail or email to the President.
- f) Videos may NOT be used in review of runs when a grievance is filed. This does not limit the use of videos in the review of other conduct or activity that is the subject of a grievance.

2. Grievance Committee Review Process

- a) The President shall refer a properly filed grievance to the BOD, and the BOD shall initiate review of the protest or complaint within 14 calendar days of receipt of the grievance.
- b) The BOD, shall:

- i. Contact the the complainant(s) via telephone call to obtain additional information about the grievance. The interviewers shall make notes of the call to share with the rest of the BOD.
  - ii. Contact the grieved individual(s) via telephone call to obtain additional information about the response to the grievance. The interviewers shall make notes of the call to share with the rest of the BOD.
  - iii. Contact all necessary witnesses, who will be asked to provide either written statement of their observations of the incident or shall be interviewed by the BOD. If interviewed, the interviewers shall make notes of the call to share with the rest of the BOC.
- c) All interviews, whether in person or telephonic, shall be conducted by at least two members of the BOD.
- d) The BOD shall prepare a brief written report summarizing all information, and share it with the President. The BOD shall then meet (electronically or telephonically) to discuss the findings and make a decision. A majority vote of Board members is required to confirm and execute a decision.
- e) The investigation shall be completed within 30 days of the BOD receipt of the grievance. The BoD may request an extension of time from the President upon a showing of good reason for additional time.

### 3. Board of Directors Action

- a) The BOD has the responsibility and authority to sanction both members and non-members whenever it shall have been established by a preponderance of the evidence that such member, or nonmember, has been found to have violated the stated rule or rules.
- b) These sanctions may take the form of, but are not limited to:
  - i. A warning letter, stating expected compliance and penalties for not doing so.
  - ii. Fines and suspensions. Fines shall not exceed \$500 and a suspension shall generally not exceed one year.
  - iii. Return of prize monies earned.
  - iv. In extreme or repeated cases, a lifetime ban from membership and NEBCA events may issued.
  - v. Suspension of a trial's sanctioning for the following year.

- c) The BOD may request that the complainant and grieved individual "appear" by telephone before the Board.
- d) The decision of the BOD shall be final and binding on all parties.
- e) The Board's decision on any grievance shall be recorded and filed with the Secretary, who shall maintain a log of all discipline. The Board is expected to review this log and use it as it endeavors to be consistent in discipline and to insure that the sanction imposed is proportionate to the offense.