

REQUEST FOR OMGHA BOARD ACTION

Meeting Date: October 11, 2020

Business Items: New Business

Agenda Item: Motion to Adopt Amendments to OMGHA Grievance Policy

Motion Request:

Harry Kennedy moves to approve proposed amendments to the OMGHA Handbook 2 Grievance Process and to incorporate the amendments therein:

Background: Handbook 2 was first drafted to delineate the OMGHA Grievance Process as, at that time, the filing of grievances was a common occurrence for a few years. More recently, there has not been a formal grievance filed in over four years. This has been due to the fact the Grievance Committee successfully resolved many possible grievances informally; greatly reducing conflict between OMGHA members while ensuring that a process existed for conflict resolution.

The current language in Handbook 2 really only addresses the grievance process. Since 2014, OMGHA has increased its focus on establishing a positive learning and playing environment and has seen the establishment of the Safesport Guidelines and OMGHA's own Player and Parent Codes of Conduct.

This document provides revisions to the grievance process as OMGHA still needs to have that process articulated in Handbook 2. Most of the revisions delete much legalese and try to make the Grievance Process more clear. However, the document also includes a reference that all violations of Safesport policies will be handled by District 3. Finally, this document adds a section on the Codes of Conduct and that the Grievance Committee will have jurisdiction for hearings when discipline is imposed. In adding the Codes of Conduct to the Grievance Resolution Process in Handbook 2, it will be clear that OMGHA follows USA Hockey Bylaw 10 and that a fair hearing process is established and articulated for our members.

While much of the revisions are to the Grievance Resolution Process, many of those changes are not substantial and serve to clarify and make the process more clear and less intimidating for members. The addition of the section on the Codes of Conduct was necessary because it did not fit as neatly as just including it in the section on grievance hearings. So we set it apart as its own section - Section IX.

Aside from grammatical changes and changes to language that was outdated, the main changes include:

SECTION III - Privacy

This section was revised to explain that to the greatest extent possible, OMGHA will strive to keep grievance and discipline matters private while also allowing for committee members, the Board, and, if possible, legal counsel the ability to communicate.

SECTION Section IV A 1

This section changed the number of grievance committee members from five to "at least five but no more than nine." This was recommended as if there is more activity that needs to be addressed by

the grievance committee, there should be an option for expanding the number of members on the committee.

SECTION V A 4

As to the question about an “informal grievance resolution” it is best to adopt the changed language. The level director should first be informed and then he/she can enlist the aid of a grievance committee member and/or other persons like the coach or manager etc. to try and informally resolve the matter. Informal resolution is how most matters have been handled in the past as we can usually walk people back off the ledge and resolve things short of an official grievance. This language was added about a grievance Committee member helping informally as that has worked in the past but it was not made clear in the handbook.

SECTION V B1

Makes clear that the Formal Grievance process is set apart from the Informal Resolution Process

SECTION V C2

This section makes clear that the Investigator/Fact Finder is not a voting member of the hearing panel.

SECTION V E6

Included language about outside counsel that conforms to USA Hockey Bylaw 10

SECTION V E9

This section provides a change in that the grievance hearing panel must decide by a majority of the panel members hearing the matter that a violation has occurred. It previously stated that a panel decision had to be unanimous.

SECTION IX

This is the stand-alone section for Code of Conduct Violations and how the grievance committee will abide by USA Hockey Bylaw 10. It also explains the important parts of the hearing process.

The proposed changes are included in the redline version of the Grievance Process, which will be presented to the Board at the time of the motion and made available on the OMGHA website prior to the Board meeting.