

UNITED STATES BRIDGE FEDERATION ("USBF")
GRIEVANCE, APPEALS AND DISCIPLINARY PROCEDURES

I. INTRODUCTION

There are three (3) basic forms of hearings covered by USBF Bylaws and rules: original jurisdiction, appeals and arbitration.

A. Original Jurisdiction.

1. **Grievance.** A grievance may be brought when there is a controversy regarding participation in a USBF competition or violations of its own bylaws, rules or regulations. The Grievance and Appeals Committee of the Board hears such grievances.
2. **Conduct and Ethics Complaints.** A conduct and ethics may be heard by: the Tournament Conduct and Ethics Committee when the complaint arises at a USBF competition; or the Grievance and Appeals Committee of the Board of Directors (“GAC”) when the complaint arises elsewhere or when the matter is too long or complicated to be handled at the competition.

B. Appeals. Appeals from decisions of the Tournament Conduct and Ethics Committee are heard by the GAC.

C. Arbitration. The USBF shall submit to arbitration under the American Arbitration Association:

1. When there is a question as to the USBF standing as a national governing body; or
2. When there is a controversy as to the opportunity to participate in a USBF competition and the allegedly aggrieved party has not exhausted his or her appellate remedies as set forth herein (see USBF Bylaws, X.A.1. and X.A.2.).

II. HEARING COMMITTEES

A. Grievance and Appeals Committee. Except as provided in Section II B, below, conduct and ethics matters, grievances, appeals shall be heard by the GAC which shall consist of three (3) to fifteen (15) members, all of whom shall be USBF members and three (3) of whom shall be members of the Board appointed by the Board every five (5) years. Hearing panels shall consist of at least three (3) members of the Committee appointed by the Chairperson of the Committee.

Members may serve on the GAC and the Conduct and Ethics Committee provided that they may not hear the same matter on each committee.

- B. **Tournament Conduct and Ethics Committee.** At each USBF event, there shall be a Tournament Conduct and Ethics Committee ("TC&E") which shall have jurisdiction over conduct and ethics at USBF Tournaments. The appointment, composition and rules of this Committee shall be in accordance with the conditions of contest for such Tournament.

III. SUBJECT MATTER FOR GRIEVANCES

Any member of the USBF may file a grievance (also referred to as an "appeal") for the following reasons:

- A. Disciplinary action taken against such member is incorrect.
- B. The USBF has violated its Articles, Bylaws, Rules or Regulations.
- C. USBF has committed a violation of the USOC Constitution or Bylaws.

IV. GRIEVANCE HEARINGS

- A. **GAC Hears.** The GAC shall hear all grievances brought by a USBF member under Section II.B. and II.C. herein.
- B. **Notice and Timing.** The grievant must give written notice of the grievance and the reasons for such grievance under Sections I.B. and/or I.C. The grievance shall be heard promptly upon receipt of written notice and the hearing shall be recorded or transcribed. Parties and GAC members to the Hearing may appear by telephone.
- C. **Removal of Committee Members.** Anytime a hearing Committee member believes he or she is unable to render a fair decision in the matter, such member shall remove himself or herself from any participation in the hearing. By majority vote of the committee, a committee member may be removed from a hearing if it is believed that such member is unable to render a fair decision in the matter.
- D. **Action.** The GAC shall have the power to uphold, deny or uphold in part the grievance.
- E. **Evidence.** The GAC shall hear the grievance and supporting evidence by the grievant, comment and supporting evidence by representatives of the USBF and any other evidence relevant to the grievance. The grievant shall be given written notice of the

date the hearing will be held, may be represented by counsel and shall have the right to appear before the reviewing committee.

F. **Decision**. The GAC's decision shall be rendered promptly, in writing and shall state the reasons for the decision. The GAC's decision shall be the final USBF action regarding the matter heard.

V. **APPEAL HEARINGS.**

A. **GAC Hears.** The GAC shall hear all appeals brought by a USBF member under Section I.A., herein.

B. **Notice and Timing.** Written notice must be given by the appellant within fifteen (15) days of the action taken and the appeal shall be heard promptly upon receipt of written notice and shall be recorded or transcribed. Parties and GAC members to the appeal may appear by telephone.

C. **Action.** The GAC shall have the power to affirm, reverse or remand the previous decision and modify, reduce or increase the discipline under appeal.

D. **New Evidence.** The Appeal Hearing will be conducted on the record made at the initial hearing, unless in the opinion of the reviewing body the record is insufficient to render a verdict, in which case new evidence may be accepted. The person disciplined will be given written notice of the date the hearing will be held, may be represented by counsel, and shall have the right to appear before the reviewing committee.

E. **Removal of Committee Members.** Anytime a hearing Committee member believes he or she is unable to render a fair decision in the matter, such member shall remove himself or herself from any participation in the hearing. By majority vote of the committee, a committee member may be removed from a hearing if it is believed that such member is unable to render a fair decision in the matter.

F. **Past Discipline.** A person's past USBF and ACBL disciplinary file (should one exist) may not be considered in establishing guilt but may be relevant to the severity of the discipline to be imposed if the person has been found guilty.

G. **Committee a Party to Appeal.** The Conduct and Ethics Committee making the initial ruling is a party to any appeal taken from its action. The appellate body may, in its sole discretion, permit persons other than the parties to the appeal to participate in the appeal and may determine the extent of such participation.

H. **Decision.** The GAC's decision shall be rendered promptly, in writing and shall state the reason for the decision. The GAC's decision shall be the final USBF action regarding the matter heard.

I. **Stay.** A stay pending an appeal may be granted by vote of the GAC only on written request which will include the reasons for the request. Once granted, neither the appeal nor the request for the stay may be withdrawn. However, this does not affect the power of the President to modify or vacate the stay.

IV. CONDUCT AND ETHICS DISCIPLINARY HEARINGS¹

A. **Conduct and Ethics Discipline.** Following are the grounds for disciplinary action:

1. Violation of the proprieties codified in the Laws of Duplicate Contract Bridge.
2. Violation of USBF Articles, Bylaws, Rules or Regulations.
3. Accusations of unethical conduct at a USBF sanctioned event, other than those made privately to a tournament director or other tournament official.
4. Violation of terms of USBF probation, suspension or expulsion.
5. Betting on the results of any USBF sanctioned game or tournament.
6. Playing in a manner which does not advance one's own interest in order to advance the interest of one's opponent.
7. Non-payment of any sums owed to the USBF or non-payment of a hotel bill when the person participating in a USBF sanctioned tournament stays at such hotel during that USBF sanctioned tournament.
8. Initiating legal actions against the USBF without first exhausting USBF administrative remedies.
9. Improper conduct toward any official or body of the USBF in the exercise of their duties.

¹ **NOTE:** These rules do not include the Tournament Appeals Committee which handles Director's rulings, etc., not conduct and ethics matters set forth in the rules of Tournament conducted by the USBF.

10. Actions unbecoming a member of the USBF (or a person participating in a tournament conducted by the USBF), including, but not limited to, improper actions at the time and site of a tournament, including parking lots, elevators, restaurants, and hotels.
11. Influencing or attempting to influence an entrant to withdraw from any USBF sanctioned event.
12. Submission of false information to a tournament official, USBF official or USBF body.
13. Failure to appear before a disciplinary committee requested by the complainant.
14. Initiating disciplinary action against another with no reasonable basis therefore or appealing the decision of a disciplinary body with no reasonable basis therefore.

B. Conduct and Ethics Disciplinary Procedures.

1. Statute of Limitations.
 - a. An initial complaint involving a single incident of conduct must be made to the President of the USBF within fifteen (15) days of the discovery of the incident, irrespective of the foregoing period of limitations, the subject of a complaint is permitted to file a complaint related to the original incident against the complainant within fifteen (15) days of written notification that there has been a charge made against him or her.
 - b. A complaint involving a pattern of conduct must be made to the President of the USBF within five (5) years of the earliest instance referenced in the complaint.
 - c. A complaint involving the conveying of information by unauthorized means, whether within a partnership or not is not subject to a statute of limitations.
2. Procedural Rights. A person charged by the President of the USBF after the receipt of a complaint with a violation of Paragraph IV.B. shall be entitled to:

- a. Receive written notice of date, time, and place of hearing. (Should a person plead guilty of a charge, a hearing must be held in order to impose discipline.)
 - b. Be furnished with a written statement of the charges.
 - c. Be represented by counsel, who need not be an attorney.
 - d. Present evidence.
 - e. Produce evidence on his/her own behalf.
 - f. Be present during the entire hearing, except during deliberations of the hearing committee.
3. Adjournments. All disciplinary bodies may allow reasonable adjournments or continuances consistent with the time available to the disciplinary body.
4. Appearance. All complainants are required to appear. Failure to appear shall in itself be grounds for discipline. Respondents are not required to appear and their failure to appear shall not be grounds for further discipline.
5. Removal of Committee Members. Anytime a hearing Committee member believes he or she is unable to render a fair decision in the matter, such member shall remove himself or herself from any participation in the hearing. By majority vote of the committee, a committee member may be removed from a hearing if it is believed that such member is unable to render a fair decision in the matter.
6. Past Record. A person's past USBF disciplinary record (should one exist) may not be considered in establishing guilt but may be relevant to the severity of the discipline to be imposed if the person has been found guilty.
7. No Appeal. The decision of the GAC acting on a complaint or as an appellate body shall be final and no right to appeal such a GAC decision shall exist. The person is to be informed of this right at the conclusion of the hearing along with the notification of the name and address of the chairman of such committee.

8. Formal Record. All disciplines are a matter of record. A written report shall be submitted to and maintained by the USBF Board by the disciplinary body imposing the discipline.
9. Final Procedure. A person who has been subjected to a USBF disciplinary proceeding shall not be subjected to any further proceedings by any other USBF disciplinary body for the same matter, except pursuant to appeal and for additional disciplines.
10. Sanctions (Disciplines). The sections below set forth suggested disciplines which may be imposed by a USBF disciplinary committee. The disciplinary committees may choose to issue lesser or greater disciplines than those set forth below. It may likewise vary, combine or impose disciplines not set forth.
 - a. Probation - A determination that a person has committed an offense warranting discipline which is a matter of record. If the member is disciplined for another offense during the probationary period, then the probation becomes suspension for the remainder or half of the probation period, whichever is the greater. Such new discipline shall be consecutive, not concurrent.
 - b. Suspended Sentence - A determination that a person has committed an offense warranting discipline. When the discipline is imposed and the execution thereof suspended, such suspension shall be deemed to be probation.
 - c. Suspension - A determination that a person has committed an offense warranting abrogation for a specified period of all rights and privileges including membership.
 - d. Expulsion - A determination that a person has committed an offense warranting permanent abrogation of all rights and privileges including membership, provided that a person expelled may request of the USBF Conduct and Ethics Committee a lifting of such suspension after five (5) years.
11. Effect of Sanction and Effective Date.
 - a. In every sanction resulting in suspension or expulsion, a person may not participate in any USBF sanctioned activity including, but not limited to (i) acting as non-playing captain, (ii) being physically

- present at the playing area of a tournament, and (iii) participating in the corporate or business affairs of any USBF affiliated organization.
- b. The effective date of discipline shall be that date named by the committee in its determination, or failing that, five (5) days after oral or written notification to the judged member.
12. Procedures Specific to Tournament Conduct and Ethics Committee. Procedures at USBF Tournaments are intended to be expeditious. (Notices may be oral and the proceedings may be informal.) The disciplinary committee may consider and impose discipline with respect to the conduct of any participant in the hearing.
- a. An initial charge must be brought by the Director-in-Charge of the Trials, the Tournament Appeals Committee or a player participating in the event.
- b. All complainants are required to appear. Failure to appear shall in itself be grounds for discipline.
- c. Respondents are not required to appear and their failure to appear shall not be grounds for further discipline.
- d. Witnesses, whose testimony in the opinion of the tournament directors or committee chairperson is material to the hearing, are required to appear. Failure to appear may be grounds for discipline, unless reasonable cause is shown for such failure. "Reasonable cause" shall be liberally construed.
- e. Discipline imposed by the Tournament Conduct and Ethics Committee for all or part of that tournament may not be stayed. Any discipline that survives the tournament may be stayed in accord with Section II.C.7. Discipline not stayed shall be expunged if the decision of the Trials Disciplinary Committee is finally reversed.
13. When a Tournament Conduct and Ethics Committee Imposes Discipline.
- a. The disciplined person shall have the right, within fifteen (15) days after notice of the imposition of the discipline imposed, to request a review by the GAC of the decision of the TC&E. The TC&E imposing discipline shall advise him of such right. A written

statement must accompany the appeal which shall provide the specific reason(s) (procedural discrepancy, discipline not appropriate, etc.) the appeal has been filed. Mere dissatisfaction with the result is not a proper reason for appeal.

- b. In no event shall a suspension imposed by the Tournament Conduct and Ethics Committee exceed one hundred and fifty (150) days and/or probation exceed one hundred and fifty (150) days, provided that the Committee may recommend further investigation by the USBF Conduct and Ethics Committee.
- c. Any discipline surviving the tournament imposed by the Tournament Conduct and Ethics Committee shall commence immediately following the tournament.
- d. A person may apply to the USBF Board for reinstatement from expulsion no earlier than five (5) years after the date of final resolution of the expulsion and all appeals there from. A person denied reinstatement shall have the right to reapply for reinstatement every two (2) years thereafter. The standard of review for reinstatement shall be the moral and character fitness to be a member of the USBF.