



WHERE TO REPORT:

For issues dealing with sexual misconduct, sexual harassment and/or sexually explicit or inappropriate communication through social media:

- U.S. Center for SafeSport: 833-5US-SAFE (587-7233) or <https://safesport.i-sight.com/portal>

For issues dealing with physical abuse, emotional abuse, criminal charges and the use, sale or distribution of illegal drugs:

- USA Swimming Safe Sport: safesport@usaswimming.org or <https://fs22.formsite.com/usaswimming/form10/index.html>

For issues dealing with known or suspected child abuse:

- [Florida Department of Children and Family](https://www.myflfamilies.com/service-programs/abuse-hotline/report-online.shtml) or <https://www.myflfamilies.com/service-programs/abuse-hotline/report-online.shtml>
- Local Law Authorities

For issues dealing with peer-to-peer bullying, coach-athlete bullying, parent issues, violations of the YMCA Of Southwest Florida Hurricanes Code of Conduct and violations of the Minor Athlete Abuse Prevention Policy.

- These issues are handled at the club level following the procedures outlined below.

1. Introduction

The grievance procedure enables YMCA of Southwest Florida Hurricanes to ensure that any problems, complaints, or concerns raised by team members (parents, coaches, athletes & volunteers) are dealt with in a fair, timely and consistent manner. If any such individual has a grievance or complaint regarding:

- A. their work, working conditions, pay and benefits, working hours; or
- B. discrimination on the grounds of race, sex, sexual orientation, religion, disability, age, gender reassignment, marital status or ethnic origin; or

- C. treatment by team members including harassment and bullying; or
- D. their health and safety or a breach of statutory employment or simple individual rights; or
- E. any other issue affecting their status with this team it should be raised in line with this procedure.

Complaints in respect of disciplinary action taken by The YMCA of Southwest Florida Hurricanes should be dealt with as an appeal under the disciplinary procedure.

2. Informal Procedure

- A. All such individuals should, where possible, discuss the grievance or complaint with the appropriate individual in charge of the activity at the time of the incident on an informal basis first. An athlete should go to the coach in charge, a parent should go to the coach in charge, a volunteer should go to a meet director in charge or a parent or athlete should simply go to the other parent or athlete. Those in charge will discuss any concerns with the individual and attempt to resolve the matter within a reasonable timescale. Where it is not possible for the individual to talk to this individual in charge, or if the grievance concerns that other individual, the individual with the grievance should instead talk to the Hurricane's head coach, Ann Urschel (further referred as "club head coach").
- B. Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action.
- C. If the grievance has not been resolved or cannot be settled informally, the matter should be dealt with in accordance with the formal grievance procedure.

3. Formal Grievance Procedure:

3.1 Written Statement

- A. The aggrieved individual must first send a written statement detailing the nature of the grievance to the club head coach without unreasonable delay.
- B. Where it is the club head coach who is the subject of the Grievance, the individual should instead send the written statement to the YMCA of Southwest Florida, where possible.

3.2 Grievance Meeting

- A. Upon receiving the written statement, the club head coach will arrange for a formal meeting to be held in order to discuss the grievance with all related parties. The formal meeting will be held without unreasonable delay and usually no longer than 3-4 days after the statement of grievance is received.
- B. The meeting must not take place if the club head coach has not had a reasonable opportunity to consider their response to the information.

- C. Before the meeting, a thorough investigation of the facts relating to any allegations must take place. Any requests for anonymity and confidentiality should be taken seriously.
- D. All individuals involved in such a meeting may, following a reasonable request, be accompanied by a colleague, a spouse, other individual related directly to the situation or a legal representative.
- E. The individual's chosen companion will be able to address the meeting to put or sum up the individual's case, as well as confer with the individual during the meeting. They may not, however, answer questions on the individual's behalf, address the meeting if the individual does not wish them to do so or prevent other individuals or The YMCA of Southwest Florida and the Hurricanes from explaining their case.
- F. The YMCA of Southwest Florida and the Hurricanes reserves the right to refuse to accept a companion whose presence may undermine the grievance process.
- G. All individuals involved shall make every effort to attend the meeting. If an individual fails to attend the grievance hearing without explanation or seems to make insufficient efforts to attend, then the hearing may proceed in absence of that individual.
- H. If possible, the aggrieved should explain how they think the grievance could be resolved.
- I. If a further investigation of the matter is required then the meeting should be adjourned to a later date before a decision is taken about how to deal with the individual's grievance.

- A. Outcome of meeting
- B. Following the meeting and investigation and without unreasonable delay, the club head coach shall set out in writing the outcome of the hearing and any action they intend to take to resolve the grievance (if appropriate).
- C. The club head coach shall also inform the individual of their right to appeal to Florida Swimming, USA Swimming, YMCA of Southwest Florida or a court of law if they are not satisfied with the action taken.
- D. Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

3.3 Appeal

- A. The individual has the right to appeal where they feel their grievance has not been satisfactorily resolved.

- B. The request for an appeal must state the grounds for the appeal and should be submitted to one of those forenamed entities, in writing, within 7 days of receiving written confirmation as to the outcome of the grievance meeting.
- C. A representative of those entities will arrange a further meeting to discuss the appeal within a reasonable time of receiving the request for an appeal. All related parties will be informed of the time and place of the appeal in advance.
- D. The appeal will be dealt with impartially and, wherever possible, will be chaired by an individual who has not previously been involved in the case. This appeal hearing is not a re-hearing of the original appeal but a consideration of the specific areas of dissatisfaction in relation to the original grievance.
- E. The individual has the right to be accompanied at the appeal meeting and the outcome of the appeal meeting shall be communicated to the individual in writing within the time period specified by that governing entity. Decisions made at this point are final and the grievance procedure is concluded.

4. **Confidentiality**

- A. Grievances will be handled with as high a degree of confidentiality as is practicable.
- B. Confidential records of the grievance will be kept in the individual's personnel file in accordance with Data Protection legislation. Copies of meeting notes will be provided to the individual, although the YMCA Of Southwest Florida and the Hurricanes reserves the right to withhold certain information (e.g. to protect a witness).

5. **Special Cases**

- A. Where a grievance is raised during the disciplinary process, the disciplinary process may be suspended so the grievance can be dealt with first.
- B. The above procedure shall not be used for collective grievances.

This procedure has been approved and authorised by:

Name: Ann Urschel
Position: Head Coach of The YMCA of Southwest Florida Hurricanes
Date: 3.16.2022