

**PUERTO RICO TENNIS ASSOCIATION AND
CARIBBEAN TENNIS ASSOCIATION
RULES FOR PROCEDURES REGARDING
GRIEVANCES AND COMPLAINTS**

PRTA

I. APPLICABILITY

These rules apply to all grievance and complaint procedures filed with the Puerto Rico Tennis Association (PRTA) Grievance and Complaint Committee related to violations to the PRTA Constitution, Rules and Regulations and to the Constitution and Regulations of the United States Tennis Association (USTA) and the International Tennis Federation (ITF) for tournaments sanctioned by those entities. It does not apply to grievances related to ranking of adults or juniors, as these are handled by the PRTA Ranking Committees. (PRTA Constitution, Article X, Section 10.2 - 7). **Complaints related to the USTA Tennis League and Junior Team Tennis competition are ruled by the procedures for grievances and appeals established in the USTA League Rules and the USTA Junior Team Tennis Rules, as well as local rules adopted under delegation by the USTA for these events and not by the stipulations in these Rules.**

An illustrative list of the Rules and Regulations that may be applicable to the grievance and complaint procedures is included as **Appendix I**.

II. COMPOSITION OF AND APPOINTMENT TO THE COMMITTEE

The Grievance and Complaint Committee is composed of a president that is appointed by the PRTA president, two (2) additional members and one (1) alternate member appointed by the Committee's president. (PRTA Constitution, Article X, Section 10.2-13).

III. SCOPE OF AUTHORITY

1. The Committee will attend to all grievances and complaints brought to its attention by, or in the name of, any person, and other matters that are referred to the committee by the PRTA president or its Board of Directors, or that the Committee understands merit its attention or consideration regarding violations to the PRTA Constitution, Rules, and any other rules or regulations approved by the PRTA (including regulations applicable to tournaments sanctioned by the USTA) that govern the conduct of tennis players who are members of the PRTA (active USTA members), and rules of good conduct and sportsmanship of players, trainers, and any person who is or appears to be associated with the participating tennis player, including parents, other relatives or anyone related to the player. The Committee who also attends to complaints regarding decisions made by officials, referees, staff members or judges. (PRTA Constitution, Article X, Section 10.2-13.).

2. The required quorum to attend and settle grievances or complaints shall be two (2) members of the Committee. (PRTA Constitution, Article X, Section 10.2-13).

IV. PROCEDURES BEFORE THE COMMITTEE

1. **Time frame to file a grievance or complaint:** All grievances or complaints covered under these rules shall be filed in a time frame no greater than **seven (7) calendar days** after the occurrence of the event that motivated the action and the opposing party or parties shall be notified within forty-eight (48) hours after it was filed. These terms are to be **strictly complied with**. All grievances or complaints that are filed or notified later than the time frame established herein **shall be dismissed** unless the Committee deems that there exist extraordinary circumstances that justify their consideration.

Under no circumstance will a grievance or complaint be considered if it was filed later than thirty (30) calendar days after the occurrence of the conduct that is the object of the grievance or complaint. After thirty (30) days, the Committee shall have no authority or jurisdiction to attend the matter. However, the Committee may, *motu proprio*, attend to those matters that it deems merit its attention or consideration, as well as any other matter that is referred by the PRTA President or Board of Directors. (PRTA Constitution, Article X, Section 10.2-13).

2. Grievance or complaint content and format: All grievances or complaints shall be presented **in writing, properly supported by evidence** and shall contain the following:

A. Full name, address, phone number, cellular phone number, fax number and email address of the person who files the grievance or complaint.

B. Full name and address of the person or persons against whom the grievance or complaint is filed, as well as the phone number, cellular phone number, fax number and email address of the person or persons, if available or if they can be reasonably obtained.

C. Date in which the event or conduct that is the object of the grievance or complaint occurred, stating the month, day and year.

D. Brief description of the facts that gave rise to the grievance or complaint, and the manner in which the person filing the complaint obtained knowledge of the events.

E. Reference to the rules or regulations that the person filing the complaint alleges were violated by the other party.

F. Affirmation on the part of the person filing that the complaint is filed in good faith, without ulterior motives other than vindicating the compliance of the rules that are applicable to the event that gave rise to the grievance or complaint and to promote fair game and rules of good conduct and sportsmanship.

G. Evidence that the opposing party or parties were notified of the grievance or complaint within forty-eight (48) hours of it having been filed with the Committee, and the manner, date and time that the opposing party was notified.

F. Date and signature.

The grievance or complaint may be filed using the form that is included in these rules as **Appendix II**.

3. Reply to the grievance or complaint: The opposing parties may reply to the grievance if they so desire. The reply must be **in writing, supported by evidence and must contain the following:**

A. Full name, address, phone number, cellular phone number, fax number and email address of the person or persons who reply to the grievance or complaint.

B. A specific reply to the facts that are alleged in the grievance or complaint. If any fact is not specifically refuted, it will be considered an admission of the charge.

C. The reasons or basis explaining why, with regard to the applicable rules or regulations, the defendant believes that the grievance or complaint is inadmissible.

D. Affirmation on the part of the defendant that the reply is presented in good faith and that the replies are truthful according to his/her best and full conviction.

E. Evidence that the opposing party or parties were notified of the reply to the grievance or complaint within forty-eight (48) hours of having filed it with the Committee, and the manner, date and time that the opposing party was notified.

F. Date and signature.

The reply to the grievance or complaint may be filed using the form that is included in these rules as **Appendix III**.

4. Time frame to reply to complaint: The time frame to reply to the grievance or complaint shall be seven (7) calendar days. This term is to be **strictly complied with. After seven (7) days, the Committee shall proceed to consider and adjudicate the grievance or complaint.** Any reply that is filed or notified past the term established herein **will not be considered** unless the Committee deems that there are extraordinary circumstances that justify its consideration **and the Committee has not yet emitted its decision.**

5. Procedure to adjudicate a complaint: Once the grievance or complaint and its reply, if any, have been received the Committee shall proceed in the following manner:

A. It will assign a number to the grievance or complaint.

B. It will determine whether the grievance or complaint was filed and notified on time and will make the corresponding determination of jurisdiction, stating its basis for the determination.

C. If the grievance or complaint is not dismissed as it has been filed and notified on time, the Committee will proceed to consider it, as well as the reply, if one has been filed.

D. In considering the merits or substance of the grievance or complaint, the Committee shall take into consideration the following factors:

1. That the nature of the grievance or complaint be among those upon which the Committee may take action.

2. That the grievance has been filed in good faith, by a person with the capacity to file it, having direct knowledge of the facts or acting as a representative properly authorized to do so. (Example: a parent of the juvenile, trainer, referee or other).

3. The facts alleged by the parties and the applicable statutory stipulations.

E. To carry out the investigation of the grievance or complaint, the Committee may, as it deems necessary, to enable the parties an opportunity to be heard and at its sole discretion, order the proceedings or hearings that it considers reasonable, as well as request information from other people and call witnesses. In addition, the Committee president may request the production of documents or other evidence the Committee deems necessary for the adjudication of the issue at hand.

F. The Committee shall proceed to adjudicate the grievance or complaint. The Committee's decision shall be unanimous or by a majority of two (2) of its members.

G. The Committee shall maintain a record of the proceedings before it, including the dates hearings were held – if hearings were held - and their deliberations.

6. Time frame to adjudicate a grievance or complaint: The Committee shall proceed to emit its decision with diligence and promptness, and never later than thirty (30) calendar days after the date of the occurrence that prompted the grievance or complaint. (PRTA Constitution, Article X, Section 10.2-13).

7. Contents of the decision adjudicating the complaint: The Committee's decision shall be addressed to the plaintiffs and defendants and will include the following aspects:

- A. Number assigned to the grievance or complaint
- B. Issue involved
- C. Date of the decision
- D. Decision of jurisdiction (authority or absence of authority to deal with the issue), properly evidenced, including the dismissal of the grievance or complaint, when that applies
- E. Brief account of the facts
- F. Procedure followed by the Committee
- G. Committee's decision, properly evidenced, including sanctions the Committee believes are reasonable to correct or prevent the conduct or offense that was the object of the grievance or complaint.
- H. Notification of the right to appeal and the time frame for that action.
- I. Evidence of the manner, date and time of the notification of the decision to all parties and to the PRTA Board of Directors via its Executive Director.
- J. Name, date and signature of the members of the Committee who participated in the decision.

The Committee shall be able to use **Appendix IV**, a form that accompanies these Rules, to make its decision.

8. The right to appeal and the manner and time frame to do so: Any party affected by the Committee's decision shall be able to present an appeal to the decision before the PRTA Board of Directors, or the Appeal Committee that the Board appoints, within the time frame indicated in the decision of the Grievance and Complaint Committee, never less than ten (10) days prior to the next ordinary meeting of the PRTA Board of Directors. (PRTA Constitution, Article X, Section 10.2-13). The appeal may be presented using **Appendix V**, a form that accompanies these Rules.

V. APPEAL PROCEDURE

The Board, or the Appeal Committee it appoints, shall be able to decide the appeal without holding hearings, and its decision shall be **firm and final**. Members of the Grievance and Complaint Committee who are also PRTA Directors are disqualified from voting in the adjudication process of an appeal to a decision by the Grievance and Complaint Committee in which they have participated. This does not impede any member of the Committee who is also a PRTA Director from informing and participating in the discussion and presentation of the matter of the appeal before the Board of Directors or an Appeal Committee that the Board may designate.

VI. EFFECTIVE DATE

These Rules for Procedures regarding Grievances and Complaints shall come into effect immediately after their approval.

VII. APPENDIX -

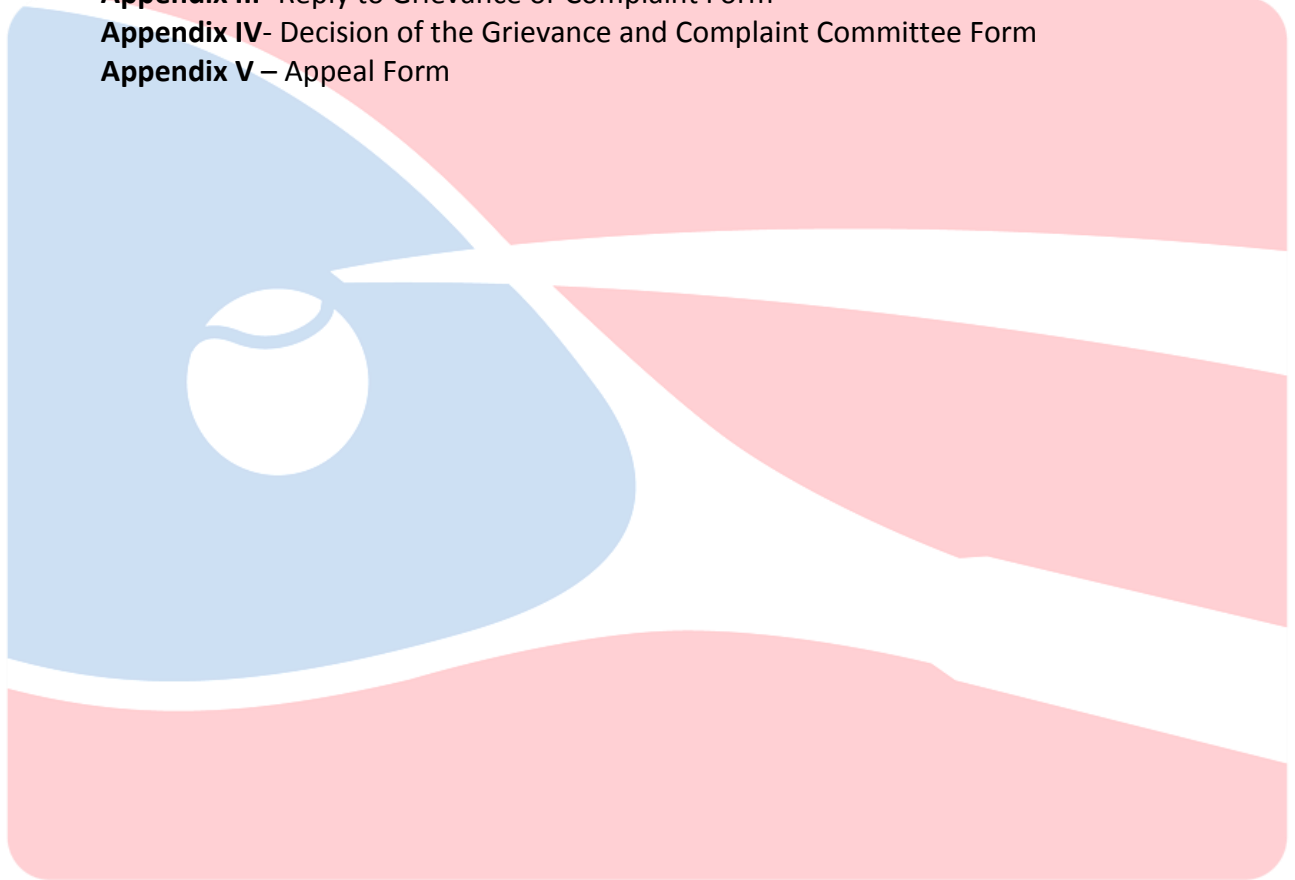
Appendix I- Illustrative List of Rules and Regulations Applicable to Procedures regarding Grievances and Complaints Interposed under these Rules

Appendix II- Grievance or Complaint Form

Appendix III- Reply to Grievance or Complaint Form

Appendix IV- Decision of the Grievance and Complaint Committee Form

Appendix V – Appeal Form



PRTA