

TACOMA BASKETBALL OFFICIALS' ASSOCIATION GRIEVANCE GUIDELINES

(July 2023)

DISCIPLINARY ACTION AND DUE PROCESS

The Tacoma Basketball Official Association (TBOA) has adopted the following guidelines for settling disputes regarding misconduct and excessive improper behavior between its Board and members.

Section 1: TYPES OF MISCONDUCT and EXCESSIVE IMPROPER BEHAVIOR:

Misconduct and excessive improper behavior can be charged, and disciplinary action can be taken for, but not limited to:

1. Violation of meeting attendance policy/requirements.
2. Lateness to assigned contests.
3. Missing a confirmed contest. Arbiter Sports has officials who have accepted the assignment.
4. Continued poor performance reports.
5. Non-payment of dues.
6. Using abusive language or distasteful gestures.
7. Use of tobacco or alcohol within sight of players and spectators. Alcohol use any time before a contest on the day of the game is unacceptable.
8. Degrading fellow TBOA officials, TBOA Executive Board members, Assigning Secretary, or anyone acting in a leadership position representing the TBOA.
9. Providing unwarranted or derogatory press releases and interviews to the media, including Facebook, email, and social networking.
10. Undercutting or altering the established TBOA or WIAA/WOA official's contest fees.
11. Intentionally deviating from enforcement of NFHS Rules, signals, mechanics, or WOA State-approved exceptions to these rules.
12. Failing to wear the approved TBOA and WOA uniform.
13. Solicitation or officiating any contest under TBOA / WOA jurisdiction without authorization from the TBOA.
14. Obliging oneself to any person affiliated with any contest one might be assigned to officiate. (Conflict of interest)
15. Poor professional judgment – Comments, actions, or decisions that harm self, fellow officials, the TBOA, or interfere with the ability of the TBOA to operate effectively.

16. Unprofessional conduct – Comments or actions that demonstrate poor self-control, poor anger/temper management, harassment, and unsportsmanlike conduct while in the capacity of coach, player, official, or spectator.

17. Unethical Behavior – Issues of dishonesty, deceit, or manipulation that harm other officials, TBOA Executive Board members, Assigning Secretary, the reputation of the TBOA, or interfere with the ability of the TBOA to operate effectively and efficiently.

18. Violating or undermining established TBOA Board policies or procedures.

19. Reoccurring legitimate complaints from the schools we service.

Section 2: EXCEPTIONAL MISCONDUCT: Exceptional misconduct is those acts that are exceptionally egregious (Definition: meaning conspicuously harmful or offensive) and can result in termination of the first offense. In all cases of exceptional misconduct, immediate emergency suspension before a hearing is permissible if warranted by the Assigning Secretary and TBOA Executive Board.

Exceptional misconduct can be charged for, but not limited to:

1. Using mood-altering substances the day of the event that could substantially impair judgment or reaction (i.e., alcohol, drugs, or prescription drugs).

2. Viewed in uniform, consuming alcohol or illegal drugs.

3. Gambling on event outcomes, individual performances, or criticizing rulings by an official while in the capacity of a coach, player, official, or spectator.

4. Being charged with a felony criminal act or a misdemeanor act involving the use or distribution of mood or body-altering drugs, theft, or actions involving moral turpitude. (Definition: meaning depravity; wickedness).

5. Being convicted of a criminal act. (WOA Criminal History Background Check required, WOA bylaw, Article III section B, a, ii.)

6. Exceptional Unprofessional Conduct – flagrant actions, while in the capacity of coach, player, official, or spectator, to include but not limited to fighting/aggressive physical contact (or threat of the same), use of ethnic slurs or racial comments, use of derogatory/inciting comments based on gender, race, religion, or sexual orientation, and biased officiating.

Section 3: FORMS OF DISCIPLINARY ACTION:

Forms of disciplinary action include but are not limited to the following:

1. Informal discretionary instruction or warning by the Assigning Secretary or TBOA Executive Board, either verbal or written, that may result in a letter to file.

2. Formal Letter of Instructions.

3. Letter of Reprimand.

4. Probation (not to exceed two years).

5. Suspension (not to exceed one year).

6. Termination.

An act of misconduct may result in imposing more than one form of disciplinary action.

The level of disciplinary action to be taken depends upon the seriousness of the offense and will be decided after review by the TBOA Executive Board.

TBOA DUE PROCESS:

Any official who may or has been disciplined by the TBOA for misconduct has the right to due process. The TBOA informal and formal due process procedures are listed below. Any official punished by the TBOA may access the WOA due process information and forms through the WOA Arbiter.

If any one of the TBOA Executive Board members is directly involved in a protest or dispute, the Board member shall be immediately disqualified from those proceedings. The President or their designee shall appoint a person to replace such member while deciding the case.

All cases involving consideration of the discipline of a member shall be referred to the TBOA Executive Board if required or directed by the Assigning Secretary. The President may appoint a TBOA Disciplinary Grievance Committee to review and hear the grievance(s).

INFORMAL AND FORMAL PROCESS:

1. A grievant shall mean a duly WOA registered or certified official of the TBOA that has been disciplined or alleges a violation, misinterpretation, or misapplication of the TBOA adopted Board Policies or TBOA By-Laws.
2. The grievance procedure herein shall be how grievances are resolved, including an official having a grievance against another official or the TBOA.
3. All grievant complaints and TBOA Executive Board disciplinary actions shall be in writing. This applies to both informal and formal procedures.
4. All notices and decisions about hearings and appeals procedures correspond with calendar dates. In computing any period prescribed or allowed by these rules, the day of the act or event for which the designated period begins to run should not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday, or a legal holiday. In this event, the period runs until the next day, not a Saturday, Sunday, or legal holiday.

TBOA Informal Procedure:

A grievant shall attempt to resolve the situation by an informal conference with the Assigning Secretary or designee(s). seven (7) days shall be allowed for this process and possible resolution.

If the informal process cannot resolve the situation, a TBOA grievance committee may be requested by the TBOA Executive Board President. A grievance committee will be assembled, and a hearing date will be set at most seven (7) days upon the request of a grievance committee.

*Failure for the grievant to request a hearing in the manner described within three (3) days following the receiving date of any disciplinary action shall be deemed a waiver of the right to a hearing and the appeal procedures which govern the determination of discipline under the standards established by the WOA.

The TBOA formal procedure listed below will begin if a grievance committee is convened._

TBOA Formal Procedure:

The date for the TBOA Grievance Committee hearing will be set, and a decision on the grievance(s) shall be forthcoming by the Grievance Committee to the TBOA Executive Board President. A grievance decision shall be within two (2) days. The written final decision to the grievant(s) shall be within three (3) days of the hearing and include the specific findings and conclusions supporting the determination. The official may follow the WOA due process procedure upon completing the TBOA Executive Board's final decision.

In continuing due process, the official can access the WOA due process forms in the WOA Handbook in Arbiter WOA Central Hub. Any further appeal or correspondence by the grievant after the TBOA Executive Board's final decision, whether written or verbal, shall be with the WOA. The grievant shall have five (5) days to file an appeal with WOA.