

NVDC Grievance Procedure

A. Grievance Procedure: North Valley Democratic Club seeks to initially employ the principles of Restorative Justice in handling grievances. Prior to processing a complaint, the Grievance Committee shall, if it determines the matter to be amenable to these principles, make attempts to bring the parties together in a safe space to address situations face-to face in order to repair harm, promote healing and learning, and build community.

If such efforts are determined to be inappropriate to the situation presented, or if such efforts are unsuccessful, the Grievance Procedures described below shall be undertaken.

The timelines described below shall be tolled until engagement in the Restorative Justice Process is concluded or determined to be inappropriate or unsuccessful.

1. Grievance Committee:

- a. A Grievance Committee consisting of 5 members shall be appointed by the President within twenty-eight (28) days of the adoption of this procedure and thereafter 28 days after the election of this Club's officers (in December of even years). Any position not so appointed shall be elected by the membership at its next regularly scheduled meeting for which due notice can be given.
- b. None of these appointments/elected members can be an officer of the Club. Alternate members will be chosen to serve by lot in the event a regular member of the Grievance Committee is unable to serve or has a conflict of interest.
- c. Persons appointed/elected to the Grievance Committee need not be members of This Club, provided they are either members of the Policy Committee of the Los Angeles County Democratic Party or Members of the Executive Board of the California Democratic Party.
- d. The Grievance Committee may meet in person, by video conference, or by telephone, but may only interview witnesses in person or by video conference.
- e. Meetings of the Grievance Committee fall under the "Member Disciplinary and Other Proceedings Involving the Right to Privacy" exception to the "Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule" and therefore need not be public.
- f. The Grievance Committee shall meet and elect its own chair within fourteen (14) days of the appointment of its full membership.
- g. Once a member is appointed, in the event a vacancy occurs, it shall be filled within twenty-eight (28) days of the notice of vacancy by the person holding the same position as the original appointor. In the event the vacancy is not so filled, a member shall be elected by the membership at its next regularly scheduled meeting for which due notice can be given.

2. Grounds and Jurisdiction: The sole grounds for a member filing a grievance, and the jurisdiction of the Grievance Committee shall be an alleged:

- a. Violation of Local, State, or Federal laws or regulations having a direct impact on:
 - 1) This Club, or,

- 2) the complainant
 - b. Violation of this Club's bylaws or standing rules, including the Policy Against Harassment and Workplace Violence.
3. Standing: A complainant must be a member of this Club, in good standing, and be directly and adversely affected by the actions or conduct of another member of this Club, in order to file a grievance.
4. Remedy: If a grievance is found to have merit, it may lead to any of the following:
 - a. Private Admonishment,
 - b. Public Admonishment,
 - c. Suspension of Rights for a time certain not to exceed 60 days,
 - d. Removal from office including committee chairmanship or membership, and/or,
 - e. Removal from membership.
5. Initiating a Grievance: A grievance may be initiated by filing a timely Written Statement with the Secretary of This Club (or President, if the Secretary is the accused) and the Chair of the Grievance Committee:
 - a. Setting forth, with specificity, the text of the Code of Conduct, Policy Against Harassment and Workplace Violence, regulation, and/or law alleged to have been violated,
 - b. A statement of facts supporting the allegation, and,
 - c. The requested remedy.
6. Initial Determinations and Actions:
 - a. Within fourteen (14) days of receipt of the Written Statement, the Grievance Committee shall make an initial determination, based solely upon the Written Statement, subject to change after rebuttal evidence is received, of standing, jurisdiction, and actionable allegations.
 - b. If it is initially determined that standing, jurisdiction, and actionable allegations are present, the Chair of the Grievance Committee shall contact the accused within seven (7) days of the determination and advise as to the allegation(s), without disclosure of the identity of the complainant, and make an offer of the remedy requested by the complainant.
 - c. If rejected by the accused, the Grievance Committee shall provide the accused with a copy of the complaint, and the identity of the complainant, and request a written response, after instructing the accused not to contact the complainant, during the duration of this process.
 - d. If, in the determination of the Grievance Committee, the accusation involves a potential violation of criminal law, the complainant shall be advised to contact the appropriate Law Enforcement Agency. This process will continue parallel to any Law Enforcement action at the discretion of the Grievance Committee.

e. The Grievance Committee may, by a two-thirds vote, also make an initial determination, based upon the Written Statement, that the situation warrants temporarily suspending the membership rights of the accused, pending further action.

7. Confidentiality: The identity of all persons involved in the process, and all information regarding the allegation(s), shall be treated with confidentiality, and protected to the extent possible and will, except as otherwise specified herein.

8. Hearings:

a. Hearings are not required for the issuance of Admonishments, or Suspensions of Rights, but must be held if the remedy sought is removal from office, and/or removal from membership in this Club.

b. Despite the above, after review of the Written Response, any two (2) members of the Grievance Committee may determine that a hearing shall be held, regardless of the remedy sought.

c. The determination of whether or not to hold a hearing shall be made within seven (7) days of receipt of the Written Response.

d. If a hearing is determined to be required due to the remedy sought, or by four members of the Grievance Committee, it shall be held within fourteen (14) days of that determination.

9. Orders:

a. Orders of the Grievance Committee shall be made within fourteen (14) days of the determination that no Hearing is required, or, fourteen (14) days of the conclusion of any Hearing.

b. The Grievance Committee may, by majority vote, issue any admonishment, temporary suspension of rights, or dismissal of the Complaint.

c. The Grievance Committee may by a two-thirds (2/3rds) vote, concurred in by a majority vote of the Steering Committee, remove an accused from office, and/or membership in This Club.

d. If the matter did not proceed to hearing, the Grievance Committee may only impose a remedy equal to, or lesser than, the remedy sought by the complainant.

e. If the matter proceeded to hearing, the Grievance Committee may impose any remedy set forth herein.

f. At any stage of this process the Grievance Committee may issue an Order Extending Time.

g. If no remedy is imposed within fourteen (14) days of the determination that no Hearing is required, or, fourteen (14) days of the conclusion of any Hearing, the complaint shall be deemed dismissed, unless time has been extended.

h. All Orders shall be sent to the accused by first class mail, and, if an email is on file with this Club, by email.

i. A written decision shall be rendered at the conclusion of the Process, setting forth the allegations made, facts determined, and remedy imposed, if any, and shall be sent to the complainant, and the member who is the subject of the Written Statement.

j. Proof of the date and manner of delivery of any notices required under this Article shall be maintained.

10. Appeals:

a. The accused may, within fourteen (14) days of the mailing of the Order(s), appeal any Suspension of Rights, or Removal from office or membership, to the Steering Committee, which shall hear the matter at its next regularly scheduled meeting for which due notice can be given.

b. Admonishments and Dismissals of Complaints are not subject to appeal.