

402 Conduct of Members page 84 Delete and renumber

402.4.6

~~Any nonconsensual sexual conduct, pattern of unwelcome sexual advances or other inappropriate sexually oriented behavior or action by a USMS member toward a member or any other person participating in any capacity whatsoever in the affairs or activities of USMS.~~

Rationale: This section attempts to put certain civil or criminal behavior under the control and purview of USMS. It asks USMS to enforce a set of behaviors that are beyond the scope and ability of USMS to reasonably act or respond. Any infraction of this section is more appropriately handled by local law enforcement agencies.

402 Conduct of Members page 84 Reword for clarity and consistency

402.4.5

Any nonconsensual physical contact, obscene language or gesture, or other threatening language or conduct directed toward ~~meet~~ personnel or staff, in connection with a USMS event.

Rationale: Remove word "meet" to allow all event types, add "staff" to recognize both paid and unpaid event workers.

403 Hearings and Appeals page 85 New subsection

403.4.4

Third party complaints shall not be considered for review.

Rationale: The fact that someone can now initiate a complaint against someone with whom they have never spoken should not be, by any standard, allowable. All of the complaints and/or grievances should be between two parties, with the Board of Review acting as arbiter.

403 Hearings and Appeals page 86 Modify

403.6.2

Dismiss a grievance or appeal determined to be without merit, with the concurrence of the USMS ~~president~~ Board of Directors.

Rationale: An agreement between two parties is not enough detachment to create a failsafe. If the grievance was filed against either the NBR Chair or President, or both, there is no way properly to handle it as currently written.

403 Hearings and Appeals page 86 Modify to agree with current practice, defeat fraud.

403.7.2

The petition for appeal shall be served upon the National Office within 30 days of ~~the postmark date of the mailing of the~~ LMSC's written decision. Such decision shall be transmitted from the LMSC to petitioner by mail, electronic mail or other traceable media, as agreed to by both petitioner and LMSC in advance. Petitioner is solely responsible for giving accurate information for notification to be served. The petition and shall be accompanied by the filing fee. The petition shall set forth the grounds for appeal, citing factual and legal issues in as much detail as possible. The national office shall report any such petition, with date of receipt, to the Board of Directors.

Rationale: There has already been at least one petition that has been accepted by the NBR that did not comply with the 30 day rule and the date of petition has never been revealed. Part of the problem is that the petitioner gave the LMSC an incorrect street address. This change will make future attempts to foil the system for personal gain more difficult.

403.8 Hearing Panel Procedure page 86 add subsection

403.8.11

The Chair shall file monthly reports with the Board of directors of USMS. These reports shall include at least: a) names of parties to grievance/appeal, b) subject of grievance/appeal, c) stage of hearings (i.e., how far along is the hearing process).

Rationale: There has been more than one grievance which has lasted over one year. This is not fair to either party or USMS. If the BoD is notified of the progress, there is more incentive to keep the grievance/appeal moving through its process and not be left to stagnate, wither, or be forgotten.

403.10 Documentation page 87 add access wording

403.10 Documentation

The National Office shall maintain a permanent file of all physical evidence and written decisions pertaining to any matter that was reviewed by the National Board of Review or the Board of Directors pursuant to Part 4. That file shall be retained for at least 10 years after the date of any final decision or withdrawal of any matter brought under Part 4. The files shall be made available to any member wishing to examine them.

Rationale: USMS has no need to keep any of the decisions secret from its members.