



### **An Athlete's Guide to Filing a Grievance Regarding Opportunity to Participate**

The USEF Bylaws provide a process by which an athlete (or certain other individuals, as discussed below) may file a complaint against USEF alleging USEF has denied, or threatened to deny, the athlete the opportunity to participate in "protected competition." Additionally, Section 9 of the United States Olympic & Paralympic Committee ("USOPC") [Bylaws](#) affords an athlete a process to challenge USEF when it denies, or threatens to deny, the athlete the opportunity to participate in the Olympic Games, Pan American Games, Paralympic Games, or other "protected competition" (this term is defined in the USOPC Bylaws).

This guide will focus on the process available to athletes filing a grievance through the USEF internal process. For information on filing a grievance through the USOPC, contact the USOPC Athlete Ombuds Office at (719) 866-5000, or [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org), or visit [www.teamusa.org/Athlete-Ombuds](http://www.teamusa.org/Athlete-Ombuds).

*Note: The information contained in this document is meant as a guide. You are urged to read [USEF Bylaws 702 and 704](#) for specific requirements and guidance. Any questions should be directed to Emily Pratt, Director of the Federation's Regulation Department, at [epratt@usef.org](mailto:epratt@usef.org).*

#### **Q: What is a grievance regarding the opportunity to participate in protected competition?**

**A:** An "opportunity to participate" in protected competition grievance is a complaint brought by an athlete regarding the athlete's participation in a particular event, e.g the Pan American Games, or in other protected competition. The alleged violation must affect the opportunity of the complaining athlete to participate in, or attempt to qualify for selection to participate in any equestrian event of the Pan American Games, Olympic Games, Paralympic Games, or any other protected competition as that term is defined by the USOPC, including any domestic competition or event organized and conducted as part of the selection procedure directly qualifying each successful competitor therein as an athlete representing the U.S. in such equestrian international competitions.

#### **Q: Who can file a grievance?**

**A:** Any athlete, coach, trainer, manager, administrator, or other official participating in, or who believes they should be allowed to participate in, or any member of USEF may file a grievance.

#### **Q: Can I file a grievance prior to the submission of final definite entries, if a threat of a denial already exists?**

**A:** Yes.

#### **Q: Do I have to have my grievance heard by USEF?**

**A:** No. If you are a Team USA and your grievance meets certain criteria, you can file it directly with the USOPC and/or the American Arbitration Association. We urge you to review Section 9 of the USOPC Bylaws, contact the USOPC Athlete Ombuds Office at (719) 866-5000 or [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org), or visit [www.teamusa.org/Athlete-Ombuds](http://www.teamusa.org/Athlete-Ombuds) for more information.

**Q: What are the requirements for the Complaint:**

**A:** The complaint must set forth in clear and concise language, preferably in numbered paragraphs: (i) the facts supporting the alleged denial or threat of denial of claimant's opportunity to participate; (ii) the identity of the respondent and any affected parties, including other potentially affected athletes; (iii) the particular competition in which the individual's or affected parties' participation could be impacted; (iv) the remedy requested, and (v) a list of any individuals who may be affected by the outcome of the matter. The claimant must sign the complaint and provide their current contact information in the signature block, including their preferred email address for receipt of communications regarding the matter.

**Q: How do I file a complaint to be heard internally by the USEF Hearing Committee?**

**A:** It's simple. You complete an [Opportunity To Participate Complaint Form](#) (available on the USEF website) and pay the required filing fee.

**Q: Who will hear the grievance?**

**A:** A three-person Hearing Panel will be convened to hear the dispute. At least one of the three panelists will be an athlete that meets the definition under the USOPC Bylaws.

**Q: When will the grievance be heard?**

**A:** Upon the request of an athlete or another party (i.e. affected athlete(s)), a hearing can be expedited to the extent reasonably possible in order to resolve the matter prior to the subject competition. It's helpful to provide any scheduling conflicts you have right away.

If an expedited hearing is not necessary, efforts will be made to schedule the hearing within 90 days of receipt of the grievance.

**Q: What happens at the hearing?**

**A:** The athlete filing the complaint must be prepared to substantiate the grievance at the hearing by a preponderance of the evidence. The evidence must include personal testimony of a witness or witnesses with personal knowledge subject to cross-examination and by sworn statements, other witnesses and by other competent evidence. The requirement of personal testimony may be excused by the Hearing Committee if the parties to the grievance stipulate to the relevant facts.

**Q: Can I retain a lawyer to represent me and is it required?**

**A:** Yes, you can retain a lawyer at your own expense to represent you, but it is not a requirement. Some athletes retain counsel and others proceed without one.