

**USSF BYLAW AMENDMENTS PASSED AT**  
**MARCH 2005 ANNUAL GENERAL MEETING**

(Unless otherwise noted, pursuant to Bylaw 804, these amendments go into effect on September 1, 2005)

Table of Contents

Bylaw 212 .....	page 2
Bylaw 213 .....	page 4
Bylaw 402, Section 1 .....	page 9
Bylaw 412, Section 2 .....	page 10
Bylaw 501 .....	page 11
Bylaw 701 .....	page 12
Bylaw 703, Section 4 .....	page 14
Bylaw 704, Sections 3, 4, 5 .....	page 15

## Bylaw 212

---

### ► REDLINED VERSION

Section 1. Each Organization Member ~~must do~~ shall satisfy all of the following requirements:

- (1) except as otherwise required by applicable law, comply with all Bylaws, policies and requirements, of the Federation, to the extent applicable to that classification of Organization Member.
- (2) submit to the Federation any amendment to its ~~charter or articles of incorporation, bylaws, rules and regulations~~ organizational documents or its governing documents not later than ninety (90) days after adoption of such an amendment.
- (3) submit to the Federation its most current annual ~~reports and~~ financial statements within ninety (90) days after the start of the seasonal year.
- (4) except Associates and as provided by Section 1 of Bylaw 603
  - (A) require that every player, coach, trainer, manager, and administrator and official that is sponsored, financed, coached, organized or administered by an Organization ~~Organizational~~ Member or a member of an ~~Organizational~~ organization of an ~~Organizational~~ Organization Member, ~~shall~~ be registered with the appropriate Organization ~~Organizational~~ Member; and
  - (B) register with the Federation at least once each seasonal year the names and addresses of those players, coaches, trainers, managers, and administrators, and officials registered with such Organization Member, and such individuals shall have the membership rights accorded to them under these Bylaws.
- (5) pay fees due to the Federation by the deadline the fees are required to be paid.
- (6) comply with the Amateur Sports Act, ~~to the extent applicable.~~
- (7) if the Organization Member is responsible for recruiting, training, fielding or funding soccer players, it must establish a risk management program that evaluates potential registrants to determine whether their participation poses a risk to the safety of other participants in the Organization Members' activities.

Section 2. Except as specifically provided otherwise in these Bylaws, each ~~National Association, National Affiliate, National Member, Other Affiliate and Associate Organization Member~~ has exclusive jurisdiction over its own programs and activities; provided, H ~~however, that any such organization wishing to~~ Organization Member or other person or entity subject to the jurisdiction of the Federation which desires to conduct an international ~~soccer~~ competition to be held in the United States, or to sponsor an international ~~soccer~~ competition to be held outside the United States, must first obtain a sanction from the Federation.

► **NEW VERSION**

Section 1. Each Organization Member shall satisfy all of the following requirements:

- (1) except as otherwise required by applicable law, comply with all Bylaws, policies and requirements, of the Federation, to the extent applicable to that classification of Organization Member.
- (2) submit to the Federation any amendment to its organizational documents or its governing documents not later than ninety (90) days after adoption of such an amendment.
- (3) submit to the Federation its most current annual financial statements within ninety (90) days after the start of the seasonal year.
- (4) except Associates and as provided by Section 1 of Bylaw 603
  - (A) require that every player, coach, trainer, manager, administrator and official that is sponsored, financed, coached, organized or administered by an Organization Member or a member organization of an Organization Member be registered with the appropriate Organization Member; and
  - (B) register with the Federation at least once each seasonal year the names and addresses of those players, coaches, trainers, managers, administrators, and officials registered with such Organization Member, and such individuals shall have the membership rights accorded to them under these Bylaws.
- (5) pay fees due to the Federation by the deadline the fees are required to be paid.
- (6) comply with the Amateur Sports Act.
- (7) if the Organization Member is responsible for recruiting, training, fielding or funding soccer players, it must establish a risk management program that evaluates potential registrants to determine whether their participation poses a risk to the safety of other participants in the Organization Members' activities.

Section 2. Except as specifically provided otherwise in these Bylaws, each Organization Member has exclusive jurisdiction over its own programs and activities; provided, however, that any Organization Member or other person or entity subject to the jurisdiction of the Federation which desires to conduct an international competition to be held in the United States, or to sponsor an international competition to be held outside the United States, must first obtain a sanction from the Federation.

► REDLINED VERSION

**Bylaw 213. STATE ASSOCIATION SPECIFIC RESPONSIBILITIES.**

Section 1.

- (a) In addition to the other requirements of these bylaws, a State Association that is a member of the Federation on September 1, 1998, must undertake all actions necessary to amend its bylaws and policies by August 31, 1999. Except as otherwise specifically provided in this Section 1, the organizational documents and governing documents of each organization member shall to include the following:
- (1) Except with respect to a Professional League, the membership of the State Association and the members of the State Association Organization Member and its member organizations shall be open to any soccer players, coaches, trainers, managers, administrators, and officials individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport of soccer who is not subject to suspension under Section 4 of Bylaw 241 or pursuant to the disciplinary action of and to any amateur soccer organization in its territory; and except for a National Association, the membership of the Organization Member and its member organizations shall be open to any amateur soccer organization in its territory.
  - (2) The ~~State Association~~ Organization Member shall will not discriminate against any individual on the basis of race, color, religion, age, sex or national origin.
  - (3) The ~~Federation~~ Articles of Incorporation, bylaws, policies and requirements of the Federation, its binding rules and policies, and these Bylaws, including Bylaw 603 governing interplay, shall take precedence over and supersede the organizational documents and governing documents and decisions of the State Association Organization Member and its members organizations except to the extent applicable under state law otherwise requires, and the State Association Organization Member and its members organizations will shall abide by ~~those~~ the Articles of Incorporation of the Federation, its duly approved binding rules and policies, and these Bylaws, policies and requirements.
  - (4) The ~~State Association~~ Organization Member shall will not ~~join~~ become a member of any organization that ~~has~~ imposes requirements that conflict with the Federation's

Articles of Incorporation, bylaws, policies and requirements of the Federation, its duly approved binding rules and policies, or these Bylaws, policies and requirements.

- ~~(5) The State Association shall register all of its players, coaches, teams, referees and administrators with the Federation at least once each year and timely pay all dues and fees of the Federation.~~
- (5) Except with respect to a Professional League and for-profit Organization Members, the Organization Member shall have a Board of Directors (or similar body) selected through an open and democratic election process.
- ~~(6) The State Association and its members will abide by the Federation's articles, bylaws, policies, and requirements on interplay.~~
- (6) Except with respect to a Professional League, the actions and policies adopted by the board of directors (or similar body), executive committee of the board (or similar body), or officers of the Organization Member shall be reported to its membership, or their authorized representatives, at least once each year at a meeting of the Organization Member's membership, with notice of the meeting and its purposes given to such membership at least fifteen (15) days in advance of the meeting.
- ~~(7) The State Association shall have a Board of Directors (or similar body) selected through an open and democratic selection process.~~
- (7) The Organization Member shall provide prompt and equitable procedures for resolution of complaints of its members and procedures for fair notice and an opportunity for a hearing with respect to any complaint of any Athlete, coach, trainer, manager, administrator or official who is a member of the Organization Member, or a member organization thereof, concerning a proposed declaration that any such individual is ineligible to participate in the programs or other activities of such Organization Member or a member organization thereof and such procedures shall conform, as applicable, to the provisions of Part VII of these Bylaws;
- ~~(8) Actions and policies adopted by the Board of Directors (or similar body), Executive Committee, or officers of the State Association shall be reported to its membership, or their authorized representatives, at least once each year at a meeting of the State Association's membership, with notice and agenda of the meeting at least 15 days in advance of the meeting.~~

- (8) The Organization Member shall adopt policies prohibiting sexual and physical abuse that meet certain minimum criteria established by Federation (subject to any contrary requirements contained in any federal, state or local law applicable to the Organization Member).
- (9) ~~The State Association shall provide to the Secretary General of the Federation an annual report on the activities of the Association and most current annual financial statements within 90 days after the start of the Federation's seasonal year.~~
- (10) ~~The State Association will (A) provide annually to the Federation copies of the State Association's constitution, bylaws, and other governing documents, (B) submit changes to those documents to the Federation for approval not later than 90 days after adoption, and (C) make copies of those documents available to its members.~~
- (11) ~~The State Association will provide equitable and prompt hearing and appeal procedures to guarantee the rights of individuals to participate and compete. Those procedures shall include that all grievances involving the right to participate and compete in activities sponsored by the Federation and the State Association and its members may be appealed to the Federation's Appeals Committee that shall have jurisdiction to approve, modify or reverse a decision.~~
- (12) ~~The State Association shall maintain its tax exempt status under the Internal Revenue Code.~~
- (13) ~~The State Association shall adopt policies prohibiting sexual and physical abuse that meet certain minimum criteria established by Federation (subject to any contrary requirements contained in state or local law applicable to the State Association).~~
- (14) ~~The State Association will allow the Federation to review the documents and procedures of the State Association, on request of the Federation not less than once every 4 years, to determine compliance with these bylaws.~~
- (b) ~~Individuals registered with the Federation under subsection (a)(5) of this section shall be members of the Federation with the rights accorded to them under these bylaws.~~
- (c) ~~If a State Association does not satisfy these requirements within the time specified in subsection (a) of this section, the State Association's membership shall be terminated automatically upon the expiration of that date.~~

- (b) The Federation may review an Organization Member at least once every four (4) years to determine compliance with the provisions of Section 1. The Federation's review shall be performed by a committee consisting of one officer from one Organization Member in each of the categories of Organization Member established under Bylaw 202.

~~Section 2. A new State Association must amend its bylaws and policies to include all the requirements of section 1(a)(1)-(14) of this bylaw prior to becoming a State Association Member of the Federation. The organizational documents and/or governing documents of each applicant for admission as an Organization Member must satisfy all of the requirements of Bylaws 212 and 213 prior to its submission of its application.~~

Section 3. ~~If a State Association~~ an Organization Member intends or is being compelled by law to dissolve for any reason, it shall immediately notify the Federation.

[Original version of Sections 4 and 5 shall remain in effect.]

► **NEW VERSION**

**Bylaw 213. SPECIFIC RESPONSIBILITIES.**

Section 1.

- (a) Except as otherwise specifically provided in this Section 1, the organizational documents and governing documents of each organization member shall include the following:
- (1) Except with respect to a Professional League, the membership of the Organization Member and its member organizations shall be open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport of soccer who is not subject to suspension under Section 4 of Bylaw 241 or pursuant to the disciplinary action of any amateur soccer organization in its territory; and except for a National Association, the membership of the Organization Member and its member organizations shall be open to any amateur soccer organization in its territory.
  - (2) The Organization Member shall not discriminate against any individual on the basis of race, color, religion, age, sex or national origin.
  - (3) The Articles of Incorporation of the Federation, its binding rules and policies, and these Bylaws, including Bylaw 603 governing interplay, shall take precedence over and supersede the organizational documents and governing documents of the Organization Member and its members organizations except to the extent applicable law otherwise

requires, and the Organization Member and its members organizations shall abide by the Articles of Incorporation of the Federation, its duly approved binding rules and policies, and these Bylaws.

- (4) The Organization Member shall not become a member of any organization that imposes requirements that conflict with the Articles of Incorporation of the Federation, its duly approved binding rules and policies, or these Bylaws.
  - (5) Except with respect to a Professional League and for-profit Organization Members, the Organization Member shall have a Board of Directors (or similar body) selected through an open and democratic election process.
  - (6) Except with respect to a Professional League, the actions and policies adopted by the board of directors (or similar body), executive committee of the board (or similar body), or officers of the Organization Member shall be reported to its membership, or their authorized representatives, at least once each year at a meeting of the Organization Member's membership, with notice of the meeting and its purposes given to such membership at least fifteen (15) days in advance of the meeting.
  - (7) The Organization Member shall provide prompt and equitable procedures for resolution of complaints of its members and procedures for fair notice and an opportunity for a hearing with respect to any complaint of any Athlete, coach, trainer, manager, administrator or official who is a member of the Organization Member, or a member organization thereof, concerning a proposed declaration that any such individual is ineligible to participate in the programs or other activities of such Organization Member or a member organization thereof and such procedures shall conform, as applicable, to the provisions of Part VII of these Bylaws.
  - (8) The Organization Member shall adopt policies prohibiting sexual and physical abuse that meet certain minimum criteria established by Federation (subject to any contrary requirements contained in any federal, state or local law applicable to the Organization Member).
- (b) The Federation may review an Organization Member at least once every four (4) years to determine compliance with the provisions of Section 1. The Federation's review shall be performed by a committee consisting of one officer from one Organization Member in each of the categories of Organization Member established under Bylaw 202.

Section 2. The organizational documents and/or governing documents of each applicant for admission as an Organization Member must satisfy all of the requirements of Bylaws 212 and 213 prior to its submission of its application.

Section 3. If an Organization Member intends or is being compelled by law to dissolve for any reason, it shall immediately notify the Federation.

[Original version of Sections 4 and 5 shall remain in effect.]

## **Bylaw 402, Section 1**

---

### **► REDLINED VERSION**

Section 1. The President ~~shall be the Chief Executive Officer~~ of the Federation ~~and~~ shall have the following responsibilities:

- (1) preside at all meetings of the National Council, the Board of Directors, and the Executive Committee and serve as Chairperson of the Board;
- ~~(2) —oversee the operation and management of the Federation;~~
- ~~(2)(3)~~ appoint all committees as provided by Bylaw 431 and serve as an ex officio member of those committees; ~~and~~
- ~~(3)(4)~~ provide an annual report 30 days prior to the annual general meeting of the National Council; and
- ~~(4)~~ to be or to delegate someone to be the official representative of the Federation in FIFA, CONCACAF, and other international organizations.

### **► NEW VERSION**

Section 1. The President of the Federation shall have the following responsibilities:

- (1) preside at all meetings of the National Council, the Board of Directors, and the Executive Committee and serve as Chairperson of the Board;
- (2) appoint all committees as provided by Bylaw 431 and serve as an ex officio member of those committees;
- (3) provide an annual report 30 days prior to the annual general meeting of the National Council; and
- (4) to be or to delegate someone to be the official representative of the Federation in FIFA, CONCACAF, and other international organizations..

## **Bylaw 412, Section 2**

---

### **► REDLINED VERSION**

Section 2. The Referee Director to the Board of Directors shall be elected in odd-numbered years. Nominations for this Director position shall be submitted to the Secretary General by any individual holding one of the following positions:

Referee grade 5 or superior

Emeritus referee grade 15 or superior who retire from active referee grade 5 after a minimum of three years at that grade

State Referee Administrator (SRA)

State Youth Referee Administrator (SYRA)

~~referee that currently possesses a license for Grade 5 or a superior grade, or holds the position of SRA and/or SYRA.~~ Ballots listing the nominees (with a blank space for a write-in) shall be sent within 30 days after the annual general meeting of the National Council in odd-numbered years to all ~~referees at Grade 5 or a superior grade, or holds the position of SRA and/or SYRA.~~ individuals holding one of the positions previously listed in this section. Each individual qualified to vote may cast ~~no more than~~ one ballot. The nominee or write-in on the returned ballots with the plurality of votes shall be elected as the Director. If the nominees receiving the greatest number of votes are tied, the Director shall be elected by a run-off of those nominees. Any vacancy in this position shall be filled by (A) special election if the vacancy is for a period of one year or more or (B) by the President if the vacancy is for a period of less than one year.

Proposed amendments to Section 2 of Bylaw 412 shall become effective immediately upon adoption by the National Council.

### **► NEW VERSION**

Section 2. The Referee Director to the Board of Directors shall be elected in odd-numbered years. Nominations for this Director position shall be submitted to the Secretary General by any individual holding one of the following positions:

Referee grade 5 or superior

Emeritus Referee grade 15 or superior who retire from active referee grade 5 after a minimum of three years at that grade

State Referee Administrator (SRA)

State Youth Referee Administrator (SYRA)

Ballots listing the nominees (with a blank space for a write-in) shall be sent within 30 days after the annual general meeting of the National Council in odd-numbered years to all individuals holding one of the positions previously listed in this section. Each individual qualified to vote may cast one ballot. The nominee or write-in on the returned ballots with the plurality of votes shall be elected as the Director. If the nominees

receiving the greatest number of votes are tied, the Director shall be elected by a run-off of those nominees. Any vacancy in this position shall be filled by (A) special election if the vacancy is for a period of one year or more or (B) by the President if the vacancy is for a period of less than one year.

Proposed amendments to Section 2 of Bylaw 412 shall become effective immediately upon adoption by the National Council.

## **Bylaw 501**

---

### **► REDLINED VERSION**

The Federation shall have a Secretary General. The Secretary General shall be appointed by the President, subject to the approval of the Board of Directors, and shall serve as the Chief Executive Officer of the Federation with the authority to oversee the operations, management, and programs of the Federation.

### **► NEW VERSION**

The Federation shall have a Secretary General. The Secretary General shall be appointed by the President, subject to the approval of the Board of Directors, and shall serve as the Chief Executive Officer of the Federation with the authority to oversee the operations, management, and programs of the Federation.

► **REDLINED VERSION**

Section 1.

(a) In all hearings conducted under these bylaws, the parties shall be accorded:

- (1) notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
- (2) reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- (3) the right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
- (4) a hearing before a disinterested and impartial body of fact-finders;
- (5) the right to be assisted in the presentation of one's case at the hearing;
- (6) the right to call witnesses and present oral and written evidence and argument;
- (7) the right to confront witnesses, including the right to be provided the identity of witnesses in advance of the hearing;
- (8) the right to have a record made of the hearing if desired;
- (9) a written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion, with all Federation grievance decisions posted on the Federation website, and sent to the Board of Directors and all Organization Members;
- (10) notice of any substantive and material action of the hearing panel in the course of the proceedings; and
- (11) quality concerning communications, and no ex parte communication is permitted between a party and any person involved in making its decision or procedural determination except to provide explanations involving procedures to be followed.

Section 2. For the purposes of hearing grievances filed pursuant to Bylaw 704, the President shall appoint a Hearing Panel, consisting of individuals who are certified by the American Arbitration Association (AAA) to conduct arbitration hearings. The Panel shall be appointed on the same schedule as committee appointments, but may be supplemented at any time. Appointments are subject to the approval of the Board of Directors.

Section 3. Federation staff shall assist in the hearing process by communicating with the parties, assembling documents, coordinating hearing dates, and performing other administrative tasks to minimize the time and expense of the hearing.

Section 4. Hearing rules and procedures shall be set forth in the Policies.

► **NEW VERSION**

Section 1.

(a) In all hearings conducted under these bylaws, the parties shall be accorded:

- (1) notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
- (2) reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- (3) the right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
- (4) a hearing before a disinterested and impartial body of fact-finders;
- (5) the right to be assisted in the presentation of one's case at the hearing;
- (6) the right to call witnesses and present oral and written evidence and argument;
- (7) the right to confront witnesses, including the right to be provided the identity of witnesses in advance of the hearing;
- (8) the right to have a record made of the hearing if desired;
- (9) a written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion, with all Federation grievance decisions posted on the Federation website, and sent to the Board of Directors and all Organization Members;
- (10) notice of any substantive and material action of the hearing panel in the course of the proceedings; and
- (11) quality concerning communications, and no ex parte communication is permitted between a party and any person involved in making its decision or procedural determination except to provide explanations involving procedures to be followed.

Section 2. For the purposes of hearing grievances filed pursuant to Bylaw 704, the President shall appoint a Hearing Panel, consisting of individuals who are certified by the American Arbitration Association (AAA) to conduct arbitration hearings. The Panel shall be appointed on the same schedule as committee appointments, but may be supplemented at any time. Appointments are subject to the approval of the Board of Directors.

Section 3. Federation staff shall assist in the hearing process by communicating with the parties, assembling documents, coordinating hearing dates, and performing other administrative tasks to minimize the time and expense of the hearing.

Section 4. Hearing rules and procedures shall be set forth in the Policies.

## **Bylaw 703, Section 4**

---

### **► REDLINED VERSION**

#### Section 4.

(a) As soon as is practicable after the receipt of the grievance, the Secretary General shall promptly communicate informally with the parties and the President of the Federation and the Federation's USOC Athletes' Advisory Council representative, and they shall make every effort to resolve the grievance to their and the parties' mutual satisfaction. If unsuccessful, the Secretary General shall, without prejudice to the right of the complainant to pursue remedies available under the Amateur Sports Act and the USOC Constitution, arrange for a prompt hearing of the grievance by a Hearing Committee.

(b) The Hearing Committee shall consist of 5 voting members of the Board of Directors, appointed by the President with the approval of the Executive Committee. The panel shall consist of one member of the Executive Committee (who shall chair the panel), one representative from each the Youth, Adult and Professional Councils and one Athlete; but shall not include any member of the Board having a direct interest, either personally or by virtue of organizational affiliation, in the outcome of the proceeding.

### **► NEW VERSION**

#### Section 4.

(a) As soon as is practicable after the receipt of the grievance, the Secretary General shall promptly communicate informally with the parties and the President of the Federation and the Federation's USOC Athletes' Advisory Council representative, and they shall make every effort to resolve the grievance to their and the parties' mutual satisfaction. If unsuccessful, the Secretary General shall, without prejudice to the right of the complainant to pursue remedies available under the Amateur Sports Act and the USOC Constitution, arrange for a prompt hearing of the grievance by a Hearing Committee.

(b) The Hearing Committee shall consist of 5 voting members of the Board of Directors, appointed by the President with the approval of the Executive Committee. The panel shall consist of one member of the Executive Committee (who shall chair the panel), one representative from each the Youth, Adult and Professional Councils and one Athlete; but shall not include any member of the Board having a direct interest, either personally or by virtue of organizational affiliation, in the outcome of the proceeding.

**Bylaw 704, Section 3, 4, 5**

---

► **REDLINED VERSION**

Section 3.

(a) The complaint and answer shall be referred to a Hearing Examiner, appointed by the President from members of the Board of Directors Hearing Panel, established pursuant to Bylaw 701. ~~for a hearing on the merits of the complaint.~~ However, any member of the Board of Directors Hearing Panel having a direct interest, either personally or by virtue of an organizational membership affiliation, in the outcome of the proceedings, shall be disqualified from adjudicating the complaint.

(b) Any Organization Member may file an amicus brief to the hearing, pursuant to the guidelines set forth in the Policies.

(c) The Hearing Examiner shall review the grievance complaint and answer. If the Examiner determines that, even assuming all facts alleged by the grieving party are true, the grievance would not be granted, the Examiner shall dismiss the grievance. Otherwise, the panel shall hold a A hearing by the Board of Directors shall be held not later than 90 days after filing the complaint was filed. The Board of Directors Examiner shall render his its decision within 30 days after the hearing on the complaint.

(b) ~~— If the President believes it will serve the interest of expeditious consideration of the complaint, the President may, with the approval of the Executive Committee, appoint a hearing panel of 5 voting members of the Board of Directors to hear evidence on the complaint. If appointed, such a panel shall consist of one member of the Executive Committee (who shall chair the panel), one representative from each the Youth, Adult and Professional Councils and one Athlete; but shall not include any member of the Board having direct interest, either personally or by virtue of organizational affiliation, in the outcome of the proceeding. The appointed panel, shall convene as expeditiously as possible; shall hear evidence presented by the parties in accordance with the hearing procedures set forth in these Bylaws; and shall prepare and submit a full written report (1) summarizing the evidence for the Board of Directors, and (2) forwarding to the Board of Directors any written materials requested by the parties. Upon receipt of the report and materials, the Board of Directors may elect to receive further written or oral evidence or presentations, or may make its decision based on the report and materials submitted by the panel.~~

Section 4. There shall be a right of appeal of a Hearing Examiner's decision to the Board of Directors under this bylaw, which decision may only be overturned or amended by a two-thirds vote of the Board. ~~no right of appeal to any other Federation body from a determination of the Board of Directors under this bylaw.~~

Section 5. Each party shall pay their own expenses for participating in the hearing. The fees and expenses for the Hearing Examiner shall be shared equally between the parties and the Federation.

► **NEW VERSION**

Section 3.

(a) The complaint and answer shall be referred to a Hearing Examiner, appointed by the President from members of the Hearing Panel, established pursuant to Bylaw 701. However, any member of the Hearing Panel having a direct interest, either personally or by virtue of an organizational membership affiliation, in the outcome of the proceedings, shall be disqualified from adjudicating the complaint.

(b) Any Organization Member may file an amicus brief to the hearing, pursuant to the guidelines set forth in the Policies.

(c) The Hearing Examiner shall review the grievance complaint and answer. If the Examiner determines that, even assuming all facts alleged by the grieving party are true, the grievance would not be granted, the Examiner shall dismiss the grievance. Otherwise, the panel shall hold a hearing no later than 90 days after the complaint was filed. The Examiner shall render his decision within 30 days after the hearing on the complaint.

Section 4. There shall be a right of appeal of a Hearing Examiner's decision to the Board of Directors under this bylaw, which decision may only be overturned or amended by a two-thirds vote of the Board.

Section 5. Each party shall pay their own expenses for participating in the hearing. The fees and expenses for the Hearing Examiner shall be shared equally between the parties and the Federation.