



## AMERICAN CONNEMARA PONY SOCIETY

Document Number: ARB PO 1

Document Name: Arbitration Committee Policies

**I. PURPOSE:** To provide a procedure whereby ACPS members may resolve a change brought to the Board under Article III.3 of the Bylaws.

A. Just cause. As provided for in Article III.3. of the ACPS Bylaws, a member may bring charges against another member for just cause, which includes, but is not limited to: deliberate action in flagrant disregard of the Bylaws; action prejudicial to the best interests of the Society; or conduct deemed improper, unethical, dishonest, unsportsmanlike, or intemperate.

B. Exclusions. Non-protestable items shall include:

1. The soundness of a registered Connemara:
  - a. As determined by a licensed veterinarian;
  - b. Where the buyer has chosen not to have a presale health and soundness inspection by a licensed veterinarian;
2. The mature height of a registered Connemara, full-bred or half-bred.
3. Those situations where either party has documents that the animal or event is covered by insurance.
4. Other items:

C. Legal Basis. Construction and application of the ACPS Bylaws is governed by the laws of the State of Illinois, according to the Society's articles of incorporation.

**II. FUNCTION:** The function of the ACPS Arbitration Committee is to assist the Board of Governors by arbitrating charges which a member may bring against another in confidence and without prejudice, and, insofar as is possible, a non-confronting and non-litigious way. The chairperson is appointed by the ACPS President, who in turn appoints two other members.

Should a committee member have a conflict of interest relating to a grievance, the chairperson may appoint another member for that particular grievance.

### III. PROCEDURE

A. A formal charge shall be filed in writing with the Board of Governors, signed by two ACPS members. Any charge so filed shall be specific, shall include a statement of the relief being sought, and shall also include a statement that the aggrieved party has read these policies, and agrees to be bound thereby.

1. Fee. The charge shall be accompanied by a filing fee of \$100.00, payable to the ACPS. This fee will be used to cover actual expenses of the committee.
2. Documentation. All documentation deemed relevant to the matter shall also be submitted.

B. Upon receiving the charge, fee, and documentation, president shall refer the matter to the Arbitration Committee within 15 days.

C. Upon receipt of all required forms, the committee chairperson shall:

1. Notify the parties, and request that any additional information relative to the case be sent to the committee within 15 days and;

2. Provide Copies of all materials to the other members of the committee, who shall have a period of 30 days to review.

D. The chairperson shall then either call a meeting or a telephone conference of the committee, who shall then render a decision and make a recommended action to those affected. Should a party to the grievance desire a meeting in lieu of a telephone conference, the expenses of such a meeting shall be borne by the person(s) requesting it.

E. Should the committee's decision not be acceptable to either party to the grievances, an appeal may be made to the Board of Governors as outlined in Article 111.3. of the Bylaws.

**IV. DISCLAIMER:** It is understood and agreed by all parties that members of the Arbitration Committee and the ACPS Board of Governors shall be held harmless for any outcome that may result from their decisions and recommendations

#### Revision History

Date	Changes	Author
9-03	Name change from Grievance to Arbitration Committee	Charlie Morgan
10-08	Update format	Chris Knox