

TRIALS COMPLAINTS






What is a Trials Complaint?

A Trials* complaint addresses allegations of an athlete rule violation that occurs at a designated trials competition. The athlete will have an opportunity for a hearing before the Trials Administrative Board (TAB) when the alleged violation includes a rule or regulation specifically enforced by the USOPC. This includes, but is not limited to, the Rule 50 restrictions against commercial markings during the event.

**Trials is a competition that leads to the direct selection of athletes to the Olympic, Paralympic, Pan American and Parapan American Games.*

Dispute Resolution Unit (DRU) Support

-  **General Administration**
-  **TAB Support**
-  **Counsel to TAB**
-  **Communication with Parties**
-  **Case Management**
-  **Logistical Support**

Authority & Governance



Ted Stevens Olympic & Amateur Sports Act (the Act): The USOPC has exclusive authority, including obtaining athlete representation, for the Games. The USOPC controls the Olympic, Paralympic and Pan American marks and can exercise jurisdiction over all officially designated Trials.



USOPC Bylaws: Section 19 of the USOPC Bylaws sets forth the USOPC's authority to conduct trials and establishes the TAB to have the final authority on matters arising out of or in connection with the Trials, including disciplinary matters.

ADDITIONAL RESOURCES

- ★ **Trials Participation Agreement** – Eligibility and conduct requirements are specific to each Trials. Delegation members should refer to the specific terms provided by their National Governing Body (NGB).
- ★ **Athlete Ombuds Contact**
ombudsman@usathlete.org

CONTACT INFORMATION

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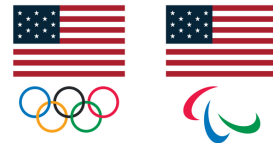
What is the Trials Complaint Process?

If an athlete violates a rule or regulation enforced by the USOPC during the Trials, and it cannot initially be resolved informally by the NGB, an opportunity for a formal hearing is provided. The TAB hears evidence and renders a decision on the matter, including the ability to impose appropriate sanctions. The complaint process may be expedited as appropriate.



Constituent Involvement

- ★ Athlete**
The participant at the Trials alleged to have violated the participation agreement.
- ★ National Governing Body (NGB)**
The NGB Informally resolves disputes or seeks TAB involvement to render a decision on the matter.
- ★ USOPC**
The USOPC brings forth the allegations against the participant and seeks discipline.
- ★ Dispute Resolution Unit**
DRU manages the TAB Hearing process.
- ★ Trials Administrative Board**
The TAB hears the complaint and renders a decision on participation rights or disciplinary action.



DRU Support Details



General Administration

DRU oversees the general administration of Trials matters to ensure that the complaint is heard in a timely and efficient manner. This involves managing the overall processing of the complaint, from initiation of the matter to the closing of the case.

DRU receives information about the matter, serves as a liaison and counsel to the Trials Administrative Board (TAB), processes the complaint, communicates with the parties, and oversees the case management, among any other administrative or legal support.



TAB Support

DRU serves as liaison to the TAB in this type of matter. This includes setting up meetings, forwarding relevant documents or communication, answering procedural and logistical questions, and working through TAB needs. DRU is respectful of the TAB members' time and serves to support them in their role by making any part of the process as streamlined and efficient as possible.



Counsel to TAB

An attorney within DRU serves as counsel to the TAB. In the role as legal counsel to the TAB, the attorney may provide general legal advice and guidance and answer any questions related to legal issues that arise in the proceeding. This includes setting out the standards and scope of review so that the TAB understands the appropriate purview of the proceeding, along with their authority. DRU participates in deliberations with the TAB to assist with points of clarification, but does not have any decision-making authority. DRU drafts all final decisions in line with the TAB's determination in each particular case for final review and approval by the TAB.



Communication with Parties

DRU communicates directly with the parties or involved individuals in the case and serves as a liaison between the parties and the TAB. This prevents any ex-parte communications with the TAB, along with streamlining information. This also allows for the effective facilitation of information to the TAB by eliminating extraneous communications. DRU ensures that all documents, filings submissions, or formal requests are promptly delivered to the TAB and confirms receipt and delivery with the parties.

DRU may answer logistical, administrative, or other questions from the parties directly, along with addressing any procedural questions on behalf of the USOPC.



DRU Support Details



Case Management

DRU utilizes an internal case management site to effectively track all details a case from initiation of a matter to resolution, in accordance with the timeframes as set forth in the USOPC Document Retention Policy. This includes storing:

- Contact information from relevant individuals in the case (e.g. parties, panel, counsel, representatives, other affected parties)
- Filings and submissions
- Deadlines
- Orders and decisions
- Summaries of claims, issues, and decisions
- Key features and outcomes

Additionally, DRU ensures that TAB members have access to case details in an effective manner. DRU organizes and stores all case related materials and tracks outcomes for executive-level reporting purposes.



Logistical Support

To provide services for an effective proceeding, DRU provides logistical support for any conference calls or hearings. DRU sets up all conference calls, including providing links or call-in details and sending calendar invites and reminders. DRU completes roll call for all calls and hearings, keeps track of time, and assists with taking notes, when appropriate.

Additionally, DRU arranges all administrative aspects for each hearing, including setting the conference line and/or securing office space, providing breakout rooms for the parties and the hearing panel, arranging travel and accommodations for hearing panel members, distributing case materials to the hearing panel members and counsel, IT setup requests, and any other logistical issue that may arise.

Ted Stevens Olympic and Amateur Sports Act



Section 220503:

The purposes of the corporation are-

(3) to exercise exclusive jurisdiction, directly or through constituent members of committees, over

(A) all matters pertaining to United States participation in the Olympic Games, the Paralympic Games, and the Pan-American Games, including representation of the United States in the games.

(4) to obtain for the United States, directly or by delegation to the appropriate national governing body, the most competent amateur representation possible in each event of the Olympic Games, the Paralympic Games, and Pan-American Games.

Section 220505:

(c) POWERS RELATED TO AMATEUR ATHLETICS AND THE OLYMPIC GAMES. The corporation may-

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes that involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and that arise in connection with their eligibility for and participation in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation.

USOPC Bylaws



Section 19 (applicable provisions):

Section 19.4 Trials Administrative Board. *There will be a Trials Administrative Board of the corporation which will have final authority with respect to all matters regarding trials policy, protocol, discipline, and similar matters, except with regard to team selection issues and Code of Conduct violations, which are otherwise governed by the Code of Conduct and Grievance Procedures for the Games or Section 9 of these Bylaws. The Trials Administrative Board will consist of the Chair, the CEO, the Chef de Mission, the chair of the AAC, and the chair of the NGBC. In the case of (i) their unavailability or (ii) an actual or apparent conflict of interest as to a particular matter before the Trials Administrative Board, any member may designate an alternate to serve for a limited time. Failing such a designation by the member him or herself, the Chair may designate an alternate for any absent member, who will exercise all of the privileges of that absent member for a limited time. The Chair will chair meetings of the Trials Administrative Board, which may be held in person or via teleconference.*