



Red Knights International Firefighters Motorcycle Club  
Est. 1982 Boylston Massachusetts  
"Loyal To Our Duty"



## Quick Reference Guide RKMC SOG 12:02

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### What is the Grievance Process?

This procedure is to give a path for Member(s) or Chapter(s) to file a complaint or accusation against another Member(s) or Chapter(s).

### SOG 12:02 as it is written.

#### 12:02 Grievance Procedure

This procedure shall give direction to a MEMBER and or a CHAPTER wishing to file a grievance. The difference is a grievance against a CHAPTER or MAL can skip directly to the State/Province/Country as per paragraph, #5.

A grievance is defined as the alleged violation of a specific provision of the By-Laws or SOG's.

1. A MEMBER believing he/she has cause for complaint shall discuss the problem with the accused member's Chapter officers along with a proposed solution and attempt to resolve the complaint. The Chapter officers shall give the member a verbal answer not less than 15 days after the verbal presentation of the complaint to them.
2. If the complaint is not resolved after the verbal consultation, the grievance shall be reduced to writing, signed by the aggrieved member within 15 days of the answer requesting a meeting to be held between the grievant, and the chapter membership.
3. A special meeting must be announced to ALL the members of that Chapter in a written letter from the chapter officers and must be announced at least thirty days in advance. The reason(s) for the special meeting must be spelled out in the announcement and absolutely NO other business can be discussed at that special meeting.
4. A minimum of fifty-one percent (51%) of the entire membership must be in attendance at the meeting to conduct business as announced for the special meeting. A minimum of two-thirds (2/3) of the members present is required to pass any motion made at this meeting. The presiding officer shall have 15 days from the date of the Special meeting to respond to the grievant in writing with the decision.
5. Should the complaint remain unresolved, or should the grievance be submitted against a Chapter or MAL, the grievant MEMBER OR CHAPTER may submit the grievance along with the proposed solution to the accused member's State/Province/Country Representative within 15 days of the response. The State/Province/Country Representative shall conduct an interview with all parties involved using the time necessary i.e.: By phone, electronic means, or meetings. The State/Province/Country Representative can discuss the issues with

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the Regional Director if he/she wishes to. He/she shall have 15 days after completing the interviews to respond to the grievant in writing with the recommendation. If there is no State/Province/Country/Representative, the grievance will move to the Regional Director for decision.

6. If the complaint is not resolved, the grievant may submit the complaint to the Regional Director within 15 days of the response. The Regional Director has 15 days to respond to the grievant in writing with the recommendation.
7. If the complaint is not resolved, the last filing may be submitted to the International Board of Directors. The filing must be done within 15 days of the response from the Regional Director. At the time of filing, ALL documents and findings related to the grievance must be submitted to the International Secretary by Registered Mail or Email with read receipts. The Board reserves the right to hold a hearing if it is found necessary after reviewing the documents. The Board shall issue its ruling within 60 days of receiving the grievance. The decision, which shall be binding on all parties, shall be in writing to all parties involved. There shall be no right of appeal from the decision. Failure of the grievant to follow the time limits shall constitute abandonment of the grievance and the settlement based on the last response of the Officer, Representative, or Regional Director (Governing body). Failure of the Governing body to follow the time limits shall move the grievance to the next step and expose the failing Governing body to a grievance. If a Member has a grievance with a member, they may file it with the chapter. If the grievance is with the chapter, they may file the grievance with the State/Province/Country Representative. If the grievance is with the State/Province/Country Representative, they may file it with the Regional Director. If the grievance is with the Association, they may file it with the Regional Director. Rev3, 11-8-12 Revised 11/14/2014 Syracuse, NY; revised 10/20/2015 Baltimore, MD, Revised 11/18/2023 Baltimore, MD.

### **Let's break it down.**

#### **How do I start a SOG 12:02?**

If you feel that there has been a violation, then first find this violation within one of the Governing Documents. Record the violation to the best of your abilities and what sections of the governing documents have been violated.

Please note that "Cherry-picking" from the governing documents is not an acceptable practice.

"Cherry Picking" definition: The action or practice of choosing and taking only the most beneficial or profitable items, opportunities, etc., from what is available.

For example:

If an allegation of:

"Being over-intoxicated at a rally while wearing Red Knights clothing or apparel based on SOG 3:05 Wearing of the Colors."



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The SOG 3:05 Wearing of the Colors sentence number two reads:

No abuse of alcoholic beverages or drugs while riding a motorcycle and wearing any Red Knights clothing or apparel that will identify that person as a member of the Red Knights will be tolerated.

The Keywords “while riding a motorcycle and” were left out of the violation statement to make the accusation sound like it violates SOG 3:05. This would be an example of “Cherry-Picking” the governing document.

The first thing that is encouraged to be done is to find resolve between the two members themselves before starting a formal SOG 12:02 process. If this cannot be accomplished, then move forward with the Grievance process.

**Let’s take it step by step with commentary in \* RED.**

### **12:02 Grievance Procedure**

This procedure shall give direction to a MEMBER and or a CHAPTER wishing to file a grievance. The difference is a grievance against a CHAPTER or MAL can skip directly to the State/Providence/Country as per paragraph, #5.

\*To be clear, “a Chapter or MAL grievance” is a grievance against a Chapter or MAL, not a grievance initiated by a Chapter or MAL. To help with understanding, in this explanation, “member” will mean the person filing the grievance, and “accused” will be the person alleged to have violated a By-Law or SOG.

A grievance is defined as the alleged violation of a specific provision of the By-Laws or SOG’s.

\* Make sure you document which provision is alleged to have been violated.

1. A MEMBER believing he/she has cause for complaint shall discuss the problem with the accused member’s Chapter officers along with a proposed solution and attempt to resolve the complaint. The Chapter officers shall give the member a verbal answer not less than 15 days after the verbal presentation of the complaint to them.

\* Most issues can be resolved without going through a formal process but by just having an open conversation with the accused member’s Chapter Officers. This discussion is with the Chapter officers of the accused member’s Chapter, regardless of what Chapter the member filing the grievance belongs to. The proposed solution is important here, it is not acceptable on the first step to propose the accused be removed from office for instance then later ask another level of the organization to remove them from the club. Chapter Officers: Please note you cannot remove or suspend a member at this step, per By-Law 3:27, only the “Chapter” can remove or suspend a member for just cause.



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2. If the complaint is not resolved after the verbal consultation, the grievance shall be reduced to writing, signed by the aggrieved member within 15 days of the answer requesting a meeting to be held between grievant, and the chapter membership.

\* Here, it is especially important to have the offense clearly connected to the By-Laws, SOGs, rules and regulations.

3. A special meeting must be announced to ALL the members of that Chapter in a written letter from the chapter officers and must be announced at least thirty days in advance. The reason(s) for the special meeting must be spelled out in the announcement and absolutely NO other business can be discussed at that special meeting.
4. A minimum of fifty-one percent (51%) of the entire membership must be in attendance at the meeting to conduct business as announced for the special meeting. A minimum of two-thirds (2/3) of the members present is required to pass any motion made at this meeting. The presiding officer shall have 15 days from the date of the Special meeting to respond to the grievant in writing with the decision.

\* Although these two clauses seem bureaucratic it is very important to follow them strictly. Failure to follow these steps as written allows the accused to have any final decision overturned due to a failure to follow due process. Chapter Officers: If the member's proposed solution is removal or suspension and the Chapter decides to remove or suspend the accused you must now follow By-Law 3:27 and submit notice to the International Secretary.

5. Should the complaint remain unresolved, or should the grievance be submitted against a Chapter or MAL, the grievant MEMBER OR CHAPTER may submit the grievance along with the proposed solution to the accused member's State/Province/Country Representative within 15 days of the response. The State/Province/Country Representative shall conduct an interview with all parties involved using the time necessary i.e.: By phone, electronic means, or meetings. The State/Province/Country Representative can discuss the issues with the Regional director if he/she wishes to. He/she shall have 15 days after completing the interviews to respond to the grievant in writing with the recommendation. If there is no State/Province/Country/Representative, the grievance will move to the Regional Director for decision.

\* This escalates the matter to the next level if unresolved to the satisfaction of the member and allows the start of a process if the allegation is toward a MAL or toward an entire Chapter. The outcome at this stage is not explicitly spelled out; however, considering the State/Province/Country Representative does not have the power to suspend or remove a member, if their recommendation results in such disciplinary



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measures, it must be passed along to the Regional Director to bring charges under By-Law 3:25. If the Representative finds in favor of the accused and dismisses the grievance, the member can follow the next step which takes it to the Regional Director.

6. If the complaint is not resolved, the grievant may submit the complaint to the Regional Director within 15 days of the response. The Regional Director has 15 days to respond to the grievant in writing with the recommendation.

\* It is at this step, and not before, that a grievance is advanced to the Regional Director unless the grievance is against a State/Province/Country Representative. This does not prevent anyone along the way from making the Regional Director aware of an issue; however, it is important to note they do not have the authority to step into the middle of the process.

7. If the complaint is not resolved, the last filing may be submitted to the International Board of Directors. The filing must be done within 15 days of the response from the Regional Director. At the time of filing, ALL documents and findings related to the grievance must be submitted to the International Secretary by Registered Mail or Email with read receipts. The Board reserves the right to hold a hearing if it is found necessary after reviewing the documents. The Board shall issue its ruling within 60 days of receiving the grievance. The decision, which shall be binding on all parties, shall be in writing to all parties involved. There shall be no right of appeal from the decision.

\* The reason there is no right of appeal is that the Board's involvement is the last step and is essentially an appeal by its nature.

Failure of the grievant to follow the time limits shall constitute abandonment of the grievance and the settlement based on the last response of the officer, representative, or director (Governing body). Failure of the Governing body to follow the time limits shall move the grievance to the next step and expose the failing Governing body to a grievance.

\* Again, failure to follow the process can result in the grievance being terminated and or reversed. If the Governing body at any step fails to do its job the grievance goes to the next step. The Governing body that did not do its job can also be brought up on charges.

If a Member has a grievance with a member, they may file it with the chapter. If the grievance is with the chapter, they may file the grievance with the State/Province/Country Representative. If the grievance is with the State/Province/Country Representative, they may file it with the Regional Director. If the grievance is with the Association, they may file it with the Regional Director.

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