

## **GRIEVANCE PROTOCOL**

### Enforcing the Main Street Farmers Market Rules & Regulations / Code of Conduct

Each vendor and any representatives of the vendor who will attend the market must sign an application, which includes the Rules & Regulations and the Code of Conduct, at the beginning of every market season as a condition of selling at the market. A copy of the signed and initialed form is kept on file which is accessible by the Market Board, and a copy shall be provided to the vendor upon request. Additionally, the Code of Conduct can be found on the market website. The goal of the Main Street Farmers Market Rules & Regulations and the Code of Conduct is to help ensure that involvement in the market is a positive, satisfying and safe experience.

### **CONFLICT RESOLUTION COMMITTEE (CRC)**

The CRC will be comprised of at least two current board members and at least one non-board member. The two board members on the CRC shall be the Rules & Regs committee chair, along with the Application Committee Chair. The non-board member shall be a member of the Rules & Regs Committee, and appointed by the Rules & Regs Committee Chair.

### **FILING A COMPLAINT**

The CRC cannot effectively act on hearsay, anonymous, vague or untimely complaints. A written Grievance Form must be filed in order to initiate a complaint. This form can be downloaded online from the market website or picked up from the On-site Supervisor during normal market hours. The completed form must be submitted to the CRC within 14 days of an incident through one of the following means:

- 1) email to Board of Directors: [board@mainstfarmersmarket.com](mailto:board@mainstfarmersmarket.com);
- 2) return to the On-site Supervisor during normal market hours in a sealed envelope with "CRC" printed on the front;
- 3) mail to: Main Street Farmers Market, PO Box 4552, Chattanooga, TN 37405;
- 4) submit/email directly to the President of the board if the grievance is against the CRC (email: [president.msfm@gmail.com](mailto:president.msfm@gmail.com)). In this case, the board will decide at its next regularly scheduled meeting whether to override a CRC action or stand behind the action. It is expected that any CRC board members will recuse themselves from the review process. If the board chooses to override a CRC action, it will choose another course of action at this meeting.

Complaints are divided into two categories: (1) general complaints about market operations or safety concerns vs. (2) vendor/product challenges made against other vendors claiming they are misrepresenting their product or farm operations. Vendor/product challenges require a good faith fee of \$100, which is refunded to the complainant if their claim is verified.

The form must identify the type of complaint, the section of the Rules & Regulations or Code of Conduct that was violated and provide specific details about the alleged violation. The complainant must sign the form and submit it with the good faith fee, when applicable.

## COMPLAINT PROTOCOL

Upon receipt of the complete Grievance Form, the CRC will take the following steps, depending on the nature of the allegation.

I. For those allegations that are **operational in nature**, including but not limited to parking, set-up, dues, or hours, the following steps will be taken:

- At least one representative from the CRC will present the allegation and a recommended action at the next scheduled board meeting if the complaint cannot be handled via email. The complainant may be invited to this meeting.
- The board will decide whether or not to take action; if an action is required, the board will set forth a plan to implement the action.
- The CRC will compose a written response to the complainant within 14 days from the board meeting with details on the decision and how it was reached.
- The board's decision is final and cannot be appealed.

II. For those allegations that raise **safety concerns**, the following steps will be taken:

- For immediate safety concerns or if the allegation breaks the law, the police should be called. The call should be made by a current board member, or if that is not immediately possible, board members shall be notified via text and email before the call is made.
- For those issues that are not immediate, the CRC will notify all board members via email within 48 hours of receiving the Grievance Form.
- The President must decide if a special board meeting is needed to handle the issue; if so, the meeting must take place within 7 days; if not, the board must be able to act on the allegation via email within the same 7 day period, and the complainant notified immediately via email or mail of the board's decision on a course of action.
- The board's decision is final and cannot be appealed.

III. For those allegations that include **accusations against a vendor**, the following steps will be taken:

- The CRC will notify all board members via email within 48 hours of receiving the Grievance Form.
- The President must decide if a special board meeting is needed to handle the issue; if so, the meeting must take place within 7 days; if not, the board must be able to act on the allegation via email within the same 7-day period.
- The CRC will contact both the accuser and the accused to see if mediation is possible within 7 days of the special board meeting/board email exchange. The CRC may seek the aid of a third-party expert or facilitator if deemed necessary.

**IMPORTANT NOTE:** Upon submitting this specific type of Grievance, the complainant must provide a **Good Faith Fee of \$100**. This is to ensure that these types of Grievances are only submitted when the concern is actually serious in nature, and that there will be some amount of compensation to cover the costs associated with any investigation that must be carried out in order to settle the issue. If the complainant's concerns are found to be true after the investigation is carried out, the fee will be returned to the complainant.

IV. If the board decides a **site visit is necessary**, the following steps will be taken:

- A site visit lasting no longer than 2 hours will be scheduled within 7 days from the special meeting/email exchange, and must occur within 14 days from the special meeting/email exchange to allot time for outside experts to be consulted/included. The inspection team will include at least one board member and one additional CRC member. If the board deems it necessary, an outside expert from a reputable organization such as Certified Naturally Grown may be asked to participate.
- The vendor will be notified in advance of the inspection and what, if any, documentation is to be provided to aid in the inspection. The inspection should focus primarily on the issues in the complaint.
- The inspectors must submit a written report to the board and the CRC within 7 days of the inspection. If the vendor fails the inspection, the report should detail the infractions and make general recommendations for remedying them. The CRC will recommend a course of action to the board. These recommendations will be discussed and a course of action decided on within 7 days from the inspection report or at the next regularly scheduled board meeting, whichever occurs first. The CRC will then provide the inspection report and the decided upon course of action to the vendor and the complainant within 3 days.
- The board's decision is final and cannot be appealed.

Upon any grievance filing or complaint, the details should be recorded in a Google Doc, created by the CRC, and saved in the market board's Google Drive.

A memorandum summarizing the nature of the complaint, the names of those who investigated the case, the findings of the investigation and any subsequent disciplinary actions will be placed in the MSFM files. Copies will be given to the appropriate parties involved, including the complainant and the alleged violator, but no parties who are not directly involved with the violation.

### **DISCIPLINARY CONSEQUENCES**

The board, as a result of the violation, may enforce any of the following disciplinary consequences:

- First offense: documented verbal warning
- Second offense: documented written warning, signed by both parties
- Third offense: penalties may include fees, suspension or termination of membership, including:
  - Repair of or restitution for property damage
  - Probation for a specified period of time with the understanding that another violation will lead to a more serious disciplinary action
  - Suspension from the market for a period of time
  - Reassignment to a different space in the market
  - Permanent exclusion from the market
  - Referral to the appropriate law enforcement agency or other authority

**IMPORTANT NOTE: any offense that would cause immediate harm will result in penalties associated with a third offense.**

# MAIN STREET FARMERS MARKET • GRIEVANCE FORM

The MSFM seeks to resolve member complaints and concerns in a fair and equitable manner. Members may utilize this Grievance Form to submit grievances for orderly resolution with freedom from discrimination, coercion, recrimination, restraint or reprisal. The resolution of grievances promotes more effective relationships and is in the best mutual interest of all affected parties.

The MSFM Board of Directors has the authority to ensure member compliance with the Rules & Regulations and Code of Conduct. Members who have concerns about market operation, vendor policies or other vendors' compliance with market rules, regulations or Code of Conduct should submit this form through the means outlined in the "Filing a Complaint" section of the "Enforcing the MSFM Rules & Regulations / Code of Conduct" document. All grievances will be dealt with as detailed in the "Complaint Protocol" section of the "Enforcing the MSFM Rules & Regulations / Code of Conduct" document.

SELECT TYPE OF COMPLAINT:    \_\_\_ General Complaint re: Market Operations/Safety Concerns  
  \_\_\_ Vendor/Product Challenge (requires \$100 good faith fee)

Your Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name of the vendor, person or item in question: \_\_\_\_\_

Your concern. Please reference the rule, regulation or Code of Conduct section you believe is violated and any evidence that supports your concern. Be specific, use separate page if necessary:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is your best-case scenario resolution?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date and time infraction occurred: \_\_\_\_\_

Please sign and date below. By signing your name, you hereby state that the complaint is truthful. You also agree to keep the complaint confidential while the CRC and Board work to address the matter.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For CRC use:**

Date received: \_\_\_\_\_ Received by: \_\_\_\_\_