



**TENNIS CLUB
OF ALBUQUERQUE**

**2901 Indian School Road, NE
Albuquerque, NM 87106
505.262.1691**

CODE OF CONDUCT

The TCA strives to maintain a pleasant and respectful club environment, so that members can use and enjoy the club's facilities as much as possible.

Respect, courtesy, tolerance, sportsmanship, and fair play at all times is expected from Club Members. Club members and their guests are entitled to club privileges per the Club Bylaws, Article I Section 2 & Section 3.

Members and employees are asked to read the TCA Code of Conduct each year and acknowledge by signature that they will comply with the Code. Signatures will be kept on file.

The following expectations apply to everyone - members, guests, staff, instructors and professionals:

1. Respect towards others regardless of age, gender, sexual orientation, race, culture or religion.
2. Respect for all Club property and facilities, including but not limited to the clubhouse, courts, pool, gym, courtyards, playground, and parking areas. This includes furniture, appliances, nets, teaching equipment, lane lines, gym equipment, etc. Club property lost or destroyed must be replaced or paid for by the party that lost or destroyed the property.
3. Members must conduct themselves so as not to jeopardize or interfere with the right and privileges of other members.
4. Members shall obey all safety rules and, when directed, shall cease unsafe activities. Please maintain a safe environment at all times.
5. Inappropriate language and/or aggressive behavior or any form of bullying will not be tolerated.
6. Appropriate attire is required at all times. Shoes and shirts are required in the clubhouse. Swim suits must be covered in the main clubhouse. Swim suits are acceptable in the pool, patio, and kitchen areas. No tennis shoes or street shoes are to be worn in the pool area. Tennis clothes and non-marking tennis shoes are to be worn on the courts. Appropriate gym clothes are expected in the gym.

7. TCA is a non-smoking facility. The designated smoking area is on the northwest side of the clubhouse near the tennis equipment storage patio.

8. Children under the age of 11 shall be supervised by an adult at all times. Children 11 years and older may be left unsupervised; however, parents will be fully responsible for the behavior and actions of the unsupervised children. The Management may determine that children 11 and older need to be supervised.

9. TCA is a member-owned 501(c)7 club. As such, members are allowed to bring alcoholic beverages on to the property. No alcohol will be sold on the property. Under no circumstances will minors be allowed to consume alcoholic beverages on any part of the property. Members are asked to consume alcohol responsibly. Complaints of drunken behavior or alcohol abuse on the property will be taken seriously by Management. Please act responsibly and call a friend, taxi, or other service if you feel you need a ride home.

10. Any statement or behavior that is reasonable for an individual to interpret as a threat to use physical force that would or could cause injury will not be tolerated and may result in immediate loss of privileges.

11. No member or guest shall reprimand or discipline any employee of the club. Comments and complaints are to be directed to the Manager.

12. Harassment will not be tolerated. Harassment is defined as engaging in a course of vexatious comment or conduct that is known to be unwelcome and may result in immediate loss of privileges.

13. TCA is committed to maintaining an environment free of Sexual Harassment. Such harassment is defined as unwelcome sexual advances, either verbal or physical, between members or between a member and a club employee. If a member or employee feels they are being sexually harassed, they should immediately report it to the Club Manager. A prompt and confidential investigation will be conducted. Fair consideration will be given to all facts presented. A finding of sexual harassment will result in disciplinary action taken against the offender. This applies to both members and employees. Any person who retaliates against or intimidates someone making a complaint will be subject to disciplinary action. (NOTE: If an accuser feels the act is criminal, they shall immediately go to the police.)

Anyone who fails to follow the Code of Conduct may be subject to temporary or permanent loss of privileges or temporary or permanent loss of employment. Infractions of the Code will be judged by the level of the offense.

Verbal concerns may be brought to the manager on duty for an immediate action to remedy a current unsafe or concerning situation. For written complaints, The Club Manager and BOD President will form an ad hoc grievance committee that will address each individual complaint. Per the TCA Bylaws, major offenses will be taken to the BOD.

Reference TCA Bylaws, Article I Section 6. Expulsion of Members: A member may be reprimanded, suspended or expelled for cause by the three-quarters vote of the entire Board of Directors at a meeting called for such purpose; provided that such member shall have the opportunity, after reasonable notice of the charges against him, to be heard and to present

his defense. Conduct of such member found by three-quarters vote of the entire Board of Directors at such meeting to be prejudicial to the interest and well-being of the Club shall be sufficient cause for reprimand, suspension, or expulsion from the Club, and the action of the Board shall be final without right of appeal to the members, or otherwise.

A written complaint by any member or guest, against another member, guest, visitor, parent, staff, or tennis/swim/gym professional alleging a failure to follow the Code of Conduct must be made in writing to the Club Manager, BOD President, or any other member of the BOD, following the Reporting Process recommended below.

Complaint/Incident Reporting Process: Any complaint should be made as soon as possible after the incident occurs and should include the following information:

1. Person filing the complaint name, phone number, email address
2. Date and time of incident
3. Names of any witnesses
4. Name of offender(s)
5. Full details of the incident including what led up to the incident, who was involved, and the outcome
6. Date incident report is being submitted

Ad ad hoc grievance committee will determine, based on communication with all parties and the level of the offense, what sanctions will be imposed. The findings and corrective actions will be provided in writing to the accused and the accuser. Confidential files will be kept on both parties. Any imposed sanctions may be appealed, in writing, to the BOD. The Board's decision in matters of discipline or policy will be final and confidential to the parties involved.

With regard to criminal misconduct, in the event that a member or guest is: 1) charged with a criminal offense, 2) convicted of a criminal offense, and/or 3) acquitted of a criminal offense, and the Board has actual knowledge of the charge, conviction, and/or acquittal, the Board will refer to Article 1, Section 6 of the Bylaws.

The Board is not under any obligation to disclose or administratively respond to complaints which do not rise to the level of criminal misconduct as noted above. Complaints will be handled case by case.

Additional Code of Conduct for Members of the Board of Directors (BOD)

The Director's responsibilities require that they follow the directives of the governing document for TCA including without limitation the Articles of Incorporation, Bylaws, and Club Rules and Regulations.

In addition, each Director has an obligation to:

1. Perform his or her duties in good faith with such care as an ordinarily prudent person would use;
2. Participate in the decision making process with the intent to maintain and enhance the quality, value, and financial security of the TCA;
3. Participate in the governance of the TCA in the best interest of all who are served by the TCA;
4. Communicate clearly and accurately with TCA and otherwise respect their concerns by providing fair and equal treatment in all instances;

5. Abstain from conduct that is or could be perceived to constitute harassment or that seeks to intimidate, control, threaten, or instill fear in another board member, employee, club member, and/or guest;
6. Support management directives, decisions, and systems, and the day-to-day operation of the TCA;
7. Disclose a personal interest in any matter under consideration by the TCA, and if desired by the Board, refrain from discussions or vote on such matters;
8. Maintain confidentiality with regard to sensitive Board matters such as those pertaining to personnel, member, and guest issues.

In addition, no Director shall:

1. Receive any monetary compensation from the TCA for performing his or her duties as a Director;
2. Exercise authority on behalf of the Board except when acting in a meeting at which a quorum is present, or by statement of unanimous consent, or when such authority is specifically delegated by the Board, or in their capacity as an officer of the Board;
3. Engage in any written or verbal action that defames any other Director, club member, or employee of the TCA;
4. Knowingly misrepresent facts to any constituency for the purpose of advancing a personal cause;
5. Use his or her position for personal or professional advantage, or for the advantage of friends, relatives, or supporters;
6. Solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing having monetary value from a person who is seeking to enter into a contractual or other business or financial relationship with the TCA;
7. Seek to have a contract or other action requiring Board approval implemented before the contract or action has been duly approved by the Board;
8. Provide direction to or otherwise interfere with a contractor performing work for the TCA independent of the Club Manager.

The BOD may find it necessary to close a meeting to the membership per TCA Bylaw Article III, Section 6. Valid reasons are to not violate privacy laws or harm or cause embarrassment to the TCA or other parties. A general list of valid reasons for going into a closed session includes:

1. Consulting with TCA counsel regarding legal issues;
2. Discussing litigation or prospective litigation either by the TCA or against the TCA;
3. Reviewing personal information that is confidential or should not be generally known such as delinquent accounts or dues;
4. Conferring about contract or property purchases for the sake of better bids;
5. Reviewing TCA employees or personnel issues; or
6. Handling disciplinary matters of rules violations by TCA members.