

Representation Subcommittee Report to the Legislation Committee

Respectfully submitted by Kris Wingenroth, Kristof Kertesz, Diana LaMar, Doug Sayles on 5/16/2020

Background Information:

A Representation subcommittee was created by the Legislation Committee to research the implications of potential changes to rule 201.3.5. This rule requires a 60-day waiting period from the date of last competition as a member of one club before being allowed to represent a new club. During this wait period, a swimmer may compete in meets as “unattached” (no club affiliation) but cannot participate in relays or score points for a club. There is no wait time if a transfer takes place at the time of annual registration.

The current transfer procedure requires several steps. If a swimmer wishes to compete during the transfer waiting period, the swimmer must contact the Membership Coordinator to initiate a change and be switched to “unattached”. When the wait period is over, the new Membership Coordinator must verify that the waiting period requirement has been met, ensure that any required fee has been paid and make the club change for the swimmer. The National Office must be notified and the swimmer must be provided with documentation of the change in club affiliation. If the swimmer’s transfer has recently been completed and he is entered in a swim meet, he may be required to present documentation verifying the new club affiliation to the meet director in order to have his new team affiliation validated. This must be done before swimming his first event.

Evaluation:

During the subcommittee’s research, we contacted the National Swims Coordinator, the former chair of the Rules Committee, the chair of the Championship Committee, the former and current chairs of the Membership Committee and multiple LMSC membership coordinators. We also reviewed comments made last year during the Legislation Committee meetings and the discussion during the House of Delegates. We heard many differing viewpoints. We found no overwhelming groundswell to shorten the wait period but we also found members who felt strongly about the need for such a change.

Based on this feedback, we considered and ultimately rejected the following possible rule changes.

- Creating escalating fees for each transfer to discourage excessive club changes (deemed likely to be ineffective for those who can afford it and unfair to those who cannot)
- Shortening the waiting period only for transfers within the same LSMC (deemed too confusing and biased against members that have a second residence in a different LMSC)
- Limiting the number of transfers allowed per year (originally viewed as tinkering but upon reconsideration deemed potentially useful in preventing excessive “club hopping”)
- Eliminating the waiting period or shortening it to 7 or 14 days (deemed logistically impractical given the current steps required in order to make a transfer and not necessarily a good policy)
- 120 day waiting period (no need to match the USA-S rule and overly restrictive for Masters swimmers)

After excluding the above options, we further evaluated two remaining options: (1) keeping the current 60-day waiting period and (2) adopting a 30 or 35-day waiting period. The number of days, 35, is viewed as preferable because it coincides with the entry deadline for the National Championships. This would require a swimmer to select the team they wish to swim with at Nationals by the meet entry deadline.

Below is a summary of the Representation subcommittee’s findings concerning the pros and cons of each of the two options.

60-day transfer waiting period:

A waiting period of shorter than 60 days could:

- 1) Increase the probability of a breakdown in the multi-step transfer process, which would create more work and undue stress for swimmers, membership coordinators, meet directors and Top Ten recorders who must verify membership affiliations for all competitions.
- 2) Encourage more swimmers to transfer more often, negatively affecting team loyalty and cohesiveness.
- 3) Encourage coaches to “cherry pick” swimmers, to provide inducements and/or create “bidding wars” for top swimmers.
- 4) Encourage “club hopping” to form record setting relays or to score more team points. When relays are involved, this can negatively affect team members from both the old team and the new team.
- 5) Lead to top swimmers being pressured to switch teams more often.
- 6) Negatively affect smaller teams that lose their swimmers to bigger teams for Nationals.
- 7) Cause coaches to demand team loyalty by not allowing swimmers who leave their club to return to it.

30- or 35-day transfer waiting period:

- 1) Provides more flexibility in the transfer waiting period, which may improve member satisfaction.
- 2) A waiting period more than 35 days is not logistically necessary and therefore arbitrary.
- 3) Members that permanently relocate or who have seasonal residences should be able to compete for their new club sooner.
- 4) “Club hopping” is not a rampant problem and constitutes a small number of swimmers relative to the much larger number who would benefit from a more flexible transfer policy.
- 5) Swimmers love relays and camaraderie, so allowing them to more easily transfer, compete and bond with a club that can field relays at national and international competitions creates value.
- 6) A shorter waiting period allows swimmers, who transferred to another club so that they could compete in relays at national or international competitions, to rejoin their home club more quickly.

Note: The Representation subcommittee has learned that the New England LMSC has, in response to member requests, been developing a 201.3.5 amendment that proposes shortening the transfer waiting period, among other changes. Attached is a preliminary working draft of that proposal. It is our understanding the NELMSC may formally submit some version of this proposal to the Legislation Committee before the June 10th deadline.

Other observations:

Software:

Based on our research, the subcommittee believes that it would be of great service to our members and volunteers if USMS could provide an on-line transfer system that processes any fees and automatically updates the member’s club affiliation and member record on the proper date. The current, largely manual, transfer process can lead to errors and delays that frustrate everyone involved.

Transfer fees:

It is not under our purview to explore fees, but the topic did come up. USMS currently charges a \$0 national transfer fee. LMSC transfer fees range from \$0 on up. There are differing opinions as to whether the LMSCs should charge transfer fees. On one side, some members may feel they have been “nickel and dimed” by being charged a fee to transfer. On the other side, it can be argued that when a member transfers to a new LMSC without paying a transfer fee, the new LMSC must provide services to that member despite receiving no remuneration for the cost of the services.