

Handcrafted Soap Makers Guild, Inc

Organizational Policy

April 28, 2005

Procedures for Reporting and Handling Ethics Complaints

Overview

The bylaws of The Handcrafted Soap Makers Guild, Inc. establish a standing Ethics Committee with the responsibility for:

- 1) Oversight of the correct use of any seals, trademarks or other indicia as adopted by the Board of Directors.
- 2) Education of the members on professional ethics and furtherance of ethical guidelines for the benefit and good of the HSMG and its members.
- 3) Investigation of member complaints alleging violations of the Bylaws, the Adopted Rules of the HSMG and/or State and Federal laws and regulations for possible disciplinary action.
- 4) Responding to inquiries concerning the ethical business practices of the members and investigation of any allegations of unethical or illegal practices.
- 5) When founded, make appropriate disciplinary recommendation to the Board of Directors in accordance with current edition of Robert's Rules of Order, the Bylaws and the Adopted Rules of the HSMG.

This policy outlines the exact steps by which any complaint is responded to, investigated and otherwise handled.

Receipt of Complaints

Any complaint or comment upon the professional or business ethics of a member shall be referred to the Ethics Committee. Of these, complaints and comments are divided into two different types: informal and formal complaints.

An **informal complaint** is a comment or complaint about the professional or business ethics or actions of a member that is in informal format, without documentation and/or is incomplete in nature.

A **formal complaint** is one that is submitted to the Ethics Committee on a Formal Complaint Form, is complete and may be accompanied by supporting documentation.

Informal Complaint

An informal complaint might be in the form of an email or letter from the public complaining about the actions of a member, or a report by a member casually alleging misconduct by a committee or board member. An informal complaint alone is insufficient to warrant investigatory action by the Ethics Committee.

When receiving an information complaint the Ethics Committee takes the following actions:

1. Reply to the sender acknowledging receipt of the informal complaint and send him/her copies of this policy, the Formal Complaint Form, the Bylaws and

Code of Ethics. The Ethics Committee's response should offer the sender the opportunity to submit a Formal Complaint if they so choose.

2. Make a copy of the informal complaint and send a copy to the person(s) about whom it was written, giving them the opportunity to respond to the complaint and resolve it informally with the sender, if possible.
3. File a copy of the complaint in the Ethics Folders of both the person who sent the report and the person the report was written about.

If the sender declines to submit a formal complaint, the Ethics Committee takes no further investigatory action.

If the person about whom the report was written resolves the matter with the sender, he/she may submit that information to the Ethics Committee. The Ethics Committee will appropriately file the information but will take no further action. The report and any informal resolution of the matter will remain on file.

If, at some point during the informal resolution, the sender of the informal complaint feels the matter is fully resolved, he/she may request that the informal complaint be withdrawn. In this case the Ethics Committee will remove all copies of the initial information complaint from the Ethics Files of both the sender and receiver.

Formal Complaint

A formal complaint must be submitted on a Formal Complaint Form approved by the Ethics Committee and the Board of Directors. Formal Complaint Forms shall be available by mail from the HSMG offices or downloadable from the website.

The Formal Complaint should include the completed Formal Complaint Form, fully explain the facts surrounding the acts or omissions complained of and clearly define the nature and extent of the alleged violations. Documentation of the alleged complaints, including names of witnesses, letters of testimony, minutes, receipts or other documents as applicable should accompany the complaint.

The report must be sent by mail to the HSMG office. It should be submitted in a sealed envelope marked "Confidential – Ethics Committee". The HSMG administrative personnel do not open the report; it is forwarded to the Ethics Committee unopened. The HSMG administrative office shall keep a log of any ethics complaints received, who they were from, the date received and the date referred to the Chairman of the Ethics Committee.

Upon receipt of a Formal Complaint, the Chairman of the Ethics Committee shall take the following actions:

1. Reply to the sender acknowledging receipt of the complaint.
2. Forward a copy of the complaint to the accused together with notification that the accused has thirty (30) days to respond in writing.
3. Send copies of the complaint to all members of the Ethics Committee
4. File a copy of the complaint along with all documentation in the Ethics Folder of the complainant and the accused.
5. Inform the President of the HSMG of the nature and scope of the complaint.

At the end of the 30 day period, the Chairman of the Ethics Committee shall send a copy of the written response received from the accused to all members of the Ethics Committee. If no response was received, the Chairman shall so inform the members of the Committee.

Based on the content of the original complaint and the response from the accused, the Ethics Committee shall determine whether additional investigation or action is necessary. If additional investigation is deemed appropriate and necessary to finding the truth of the accusations, the Ethics Committee shall gather such additional information as the committee requires to make their findings.

When the investigation is complete, but no more than 90 days following receipt of the written complaint, the Ethics Committee shall take one of the following actions based on the facts of the case:

1. Dismiss the complaint as frivolous or inconsequential, or
2. Exonerate the accused, or
3. Make recommendation to the Board of Directors that the accused be:
 - a. Reprimanded, with or without requiring that an apology be made to the complainant, or
 - b. Suspended from membership for a definite period of time.
 - c. Expelled from the HSMG permanently.

If the Ethics Committee has recommended 1 or 2 above, they shall inform the complainant and accused of their findings and recommendations.

If the Ethics Committee recommends reprimand, suspension of membership or expulsion from the HSMG, notification shall not be given to the complainant and the accused until action is taken by the Board of Directors.

If the Ethics Committee needs additional time to complete their investigation, they may request an extension of up to sixty (60) days from the President. If an extension is granted, the Ethics Committee must inform both the complainant and the accused of the extension.

Within thirty (30) days of the completion of an investigation, the Chairman of the Ethics Committee shall compile a complete file containing all documents relating to the complaint, investigation and its disposition, including all correspondence, documents relating to the investigation and a written report of the Committees final determination and/or referral to the Board of Directors for further action.

The file shall be sent to the HSMG administrative office for safe-keeping, with copies to the Board as needed.

Board of Directors

The Board of Directors shall receive and review all recommendations forwarded by the Ethics Committee. If the Ethics Committee has recommended suspension or revocation of membership, the Board of Directors shall take appropriate action within 30 days.

Upon action being taken by the Board of Directors, the Secretary shall notify both the accused and the Ethics Committee within 30 days.

The Ethics Committee shall then notify the original complainant of the final outcome of the complaint.

Appeals

The accused may appeal any decision made by the Board of Directors by sending a written request to the Secretary within 30 days of receipt of notification of the action taken by the Board. The Board will address any request for appeal in the next regularly scheduled meeting. The Secretary will inform the accused of the result of the appeal within 30 days.

Documents

All documents and correspondence regarding the complaint shall be sealed and held in the HSMG offices. Documents may be stored in paper or electronic format (CD or diskette). Once all the documentation is filed at the HSMG offices, the Ethics Committee, Board of Directors and/or others involved in the case shall destroy any paper copies and delete any electronic copies of documents or correspondence in their possession.

In order to protect the privacy of the individuals involved, all sealed documents and correspondence regarding the complaint shall be held in strict confidence except:

1. A copy of the original complaint and the final disposition shall be filed in the Ethics Folders of both the complainant and the accused.
2. The Board of Directors shall have access to relevant documents pertaining to any complaints referred to them by the Ethics Committee and/or necessary in the appeals process.
3. Administrative officers, legal counsel and others as necessary may be given such information about a disciplinary proceeding as is proper and necessary for the proper execution of any penalty imposed.

Publication of Findings

Any expulsion of membership shall be published in *The Handcrafted Soapmaker*, the quarterly journal of the HSMG. The notice shall state "After due process by the Ethics Committee, [name] was expelled from the Handcrafted Soap Makers Guild on [date]". Suspensions or reprimands shall not be published.

If the complaint against a member is dismissed as frivolous or inconsequential or the accused is fully exonerated by the investigation of the Ethics Committee, the accused may request that these findings be published in *The Handcrafted Soapmaker*, and must be afforded the courtesy of their name being publicly cleared.

Approved by the
Board of Directors

Authorized by vote of the Membership
at the 2005 Annual Meeting

May 18, 2005

Minor typographical errors corrected.