



TIBCS ETHICS POLICY 2013

Purpose

TIBCS Ethics Policy governs a support function of the organization; the assistance to parties resolving conflict. Clear communication is the focus of the process, furthering the immediate goals of fairness to both parties and resolution of complaints filed. Equitable solutions ultimately ensure a stronger and more ethical TIBCS organization.

TIBCS membership is based upon a Code of Ethics to promote the healthy future growth of the Bengal breed. All TIBCS Breeder members agree to uphold the COE, by signing it when joining or renewing.

To ensure the COE is followed, TIBCS Ethics Policy defines the process by which disputes or complaints may be resolved. IF a member is found to be guilty of an infraction and refuses to resolve it, then the member may be disciplined by action recommended by the Ethics Committee and approved by the Executive Board. Disciplinary action may include probation, suspension, banishment, or community service hours. The members who have disciplinary action taken against them will be added to the official Disciplinary List which will be published on TIBCS website and in TIBCS Bulletin.

Types of Cases

- 1) Dispute Resolution between members, which seeks a “win-win-win” solution, in other words, a positive outcome for each member and thus a “win” for TIBCS.
- 2) Ethics Complaint between members, in which one person is demanding restitution from another.
- 3) Ethics Complaint by a pet buyer who is not a member of TIBCS filed against a Breeder member.
- 4) Ethics Complaint by a breeder who is not a member of TIBCS filed against a Breeder member.

- 5) Organizational Complaint by a member(s) towards the governing board of the society.
- 6) Executive Board Complaint by the Board against a member(s) of TIBCS. This occurs rarely and only when a situation is egregious, damaging to a group of people or cats, when time is of the essence, is extremely damaging to TIBCS or its principles, or similar. Note that in this one type of case only, the Board reserves the right to act as necessary without the procedures that attend other types of ethics cases.

Resolution Format

Currently the format available for resolving cases is Mediation by the Ethics Chair (Senior Vice President) and/or members of the Ethics Committee.

Disciplinary Action

When Mediation has failed to produce resolution, or an individual is refusing to comply with the decision of the Ethics Board, disciplinary action may follow. In cases where it is necessary, a member may receive Probation, Temporary Suspension of their membership, or Community Service Hours¹ assigned in an effort to encourage improvement and allow time for steps toward reinstatement as a Member in Good Standing. The ultimate disciplinary action results in banning a member from future TIBCS membership.

Any members receiving Probation, Suspension or Banishment will have their names published along with the infraction of COE or ByLaws sections in the Bulletin and on TIBCS Website. In situations of probation or suspension, the name will be removed from the published list when the required restitution is fulfilled.

Instructions for Those Wishing to File a Case

- 1) Fill out TIBCS Official Conflict Resolution Request Form that can be found at www.tibcs.com Follow the Forms & Documents link. Please include all supportive documentation, labeling each document clearly. The subject line should describe your case (XXX vs ZZZ) and the topic of that particular document.

¹ If assigned, Community Service hours will be completed within the TIBCS organization to help with any current projects.

- 2) Submit to TIBCS Senior Vice President seniorvp@tibcs.com. Check for confirmation that the documents are received.
- 3) The Request form must be signed by all individuals submitting the case. No requests will be accepted that are made by anonymous individuals.

Filing Process for a Dispute Request

- 1) Ethics chair reviews all submitted material.
- 2) Ethics Chair determines case qualification:
 - active membership status
 - actual violation of TIBCS COE and/or ByLaws has occurred
 - If TIBCS is able to take the case (see for example General Information, number 3).
- 3) Acknowledgement is then sent to requesting party whether TIBCS is able to accept the case.
- 4) If case is accepted, the party filing the dispute will then pay TIBCS filing fee:
\$10.00 Non-Breeder Fee
\$25.00 Breeder Fee

Fees collected go into TIBCS General Fund to help the Bengal breed.
- 5) The Ethics Chair then sends a copy of the filed case Conflict Resolution Request Form as notification to the respondent of the dispute.
- 6) **The Respondent then has 30 days to respond to the Senior Vice President** and may submit any supportive documentation for their defense.

Case Review

- 1) A Case Panel is created of 3 members chosen from a list of TIBCS members who have volunteered to serve on the Ethics Committee. Ethics Committee members may not serve on a Case Panel where they have a personal friendship or have had business dealings with either party to a dispute. In a pet buyer vs. breeder case, one of the 3 Panel members must be a pet owner rather than a breeder. Membership on the Case Panel is not to be disclosed to the either party to the complaint.

- 2) The Case Panel will review all documents submitted by both parties within 21 days of receipt of all information. If it is determined records from a Veterinarian or feline registration organization are required, the time frame may be extended 15 days to allow sufficient time.
- 3) If the respondent is found to have violated the TIBCS COE or ByLaws, the Panel members will submit their findings to the Ethics Chair, listing the violations and recommending a specific resolution and disciplinary action (see Disciplinary Action section, above).
- 4) The Ethics Chair (Senior Vice President) reviews the Case Panel's findings in order to sign off on the case, add informs the President of the Case Panel's findings.
- 5) The Ethics Chair will send official Notification of the Ethics Committee decision to all parties involved.
- 6) Members' names that have been put on probation, suspended or banned will be added to the official Disciplinary List found on the TIBCS web site and in the quarterly Bengal Bulletin. The infraction committed by the member will also be published.
- 7) Any breeder member failing to respond to a filed dispute within 30 days from the date the Ethics Chair sends the first notification, renders them guilty by default and their name will be listed on the TIBCS web site and in the Bengal Bulletin as suspended, due to being non-responsive to a filed ethics case.

Appeal Process

- 1) **An appeal may be submitted within 30 days of the Ethics Committee ruling notification. For an Appeal to be considered ONLY new evidence related to the validity, fairness, and accuracy of the original decision is acceptable.** A \$10.00 non-breeder filing fee or a \$25 breeder filing fee must be received before the Appeal is considered.
- 2) Notice of Appeal must be sent by e-mail to the Senior Vice President and must include the basis for the appeal. NEW supporting documentation may be sent by e-mail or surface mail.
- 3) The Ethics Chair presents the case to the Appeal Panel, including the results of the Case Panel's findings.
- 4) Appeals are heard by an Appeal Panel consisting of Executive Board members. The decision process of an Appeal is based upon assessing the

validity, fairness, and accuracy of the original decision ONLY and will not consider a new hearing on the original complaint.

Appeal Panel members may not serve on an appeal where they have a personal friendship or have had business dealings with either party to a dispute.

Confidentiality for Ethics Cases Mediation

1. All members of the Ethics Committee and Executive Board sign TIBCS Confidentiality Agreement and are bound to honor confidentiality.
2. All dispute and resolution information in a dispute is considered confidential among the parties and the Ethics Committee & Executive Board of TIBCS. Settlements are considered an extension of this confidential material except for publishing disciplinary action taken on TIBCS official Disciplinary List published in the Bengal Bulletin and on TIBCS Website.

However, if either party to a dispute makes statements airing their version of the dispute on any public venue including but not limited to web sites, chat groups, and advertisements or publically displays any hostility towards TIBCS in any way, or towards any party involved with the case, TIBCS reserves the right to place the party on the disciplinary list with immediate suspension, dismiss the case (if a decision has not been reached) and publish the actual details of the case.

General Information

1. All Ethics Disputes require the completion of a TIBCS Official Conflict Resolution Request Form and payment of Filing Fee prior to consideration by TIBCS Ethics Committee.
2. Disputes can only be heard if the person named in the complaint is a member of TIBCS. Individual membership status is available through the Membership Secretary.

Resigning a membership or not renewing a membership will not result in a dismissal of a filed Conflict Case. Nor will resigning or not renewing a TIBCS membership erase a person's name from the official TIBCS Disciplinary List of suspended or banned members.

The organization can make no ruling against non-members, or on issues under the jurisdiction of other organizations.

3. TIBCS **requires** all members to use written contracts to document any transactions. **If a dispute is between two members who did not use contracts, the Ethics Committee has the option to refuse to hear the case.**
4. Any costs to TIBCS necessary to settle a dispute will be billed to the person filing the complaint. This may include postage, copies, telephone fees or transportation for on site visits. Any anticipated costs beyond minimal needs will be discussed with the party in advance.
5. The Ethics Committee Chairperson will be the current elected or appointed Senior Vice President.
6. Where legal resolutions have been made, the Member is still required to respond to a complaint as being bound by the Code of Ethics signed when they became a member. A release must be obtained if necessary on the part of both to respond in person or through their attorney. TIBCS is NOT a court of law. It is a volunteer organization of ethical, responsible Breeders and Owners of Bengal cats. Although there is no legal requirement to abide by the rulings in a Complaint Procedure, the rights of Membership may be temporarily or permanently revoked until requirements resulting from an Ethics dispute are met.