



The International Bengal Cat Society®

TIBCS Official Dispute Process

(Rev. 12/2007)

TIBCS Board

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PURPOSE: The Ethics Committee of TIBCS is an Educational and Support function of the Society, seeking to assist parties in reaching agreement in disputes. Communication is the means and the ultimate goals are Fairness to both Parties, resolution of cause and substance of complaints brought, and ultimately a stronger and more ethical TIBCS organization. Disciplinary Action is taken as a last resort when all efforts at Mediation and Resolution have failed. In instances where disciplinary action is required, several steps may be taken in an effort to encourage improvement. Prior to Banning a member from TIBCS Membership, a period of Probation or Temporary Suspension may allow time for steps toward reinstatement as a Member in Good Standing.

ALL ETHICS COMPLAINTS require the completion of a Dispute Form prior to consideration by the Ethics Committee of TIBCS. Disputes can only be heard if the person named in the complaint is a member of TIBCS. The organization can make no ruling against non members or on issues under the jurisdiction of other organizations. Individual membership status is available through the Membership Secretary's office.

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.

GENERAL INFORMATION:

A TIBCS Member believed to be in violation of the TIBCS Code of Ethics or the By-Laws of The International Bengal Cat Society may be subject to an Ethics Complaint. Complaints lacking sufficient information or those not falling under the jurisdiction of the TIBCS Ethics Committee will be placed in file for one year with no action taken unless subsequent complaints show cause for consideration. No complaint can be filed or ruled upon anonymously. All dispute and resolution information in a dispute is considered confidential among the parties and the Ethics Board of TIBCS. Settlements are considered an extension of this confidential material except in cases of Disciplinary Actions posted in the Bengal Bulletin and the TIBCS Website.

The Ethics Committee Chairperson will be the current elected Sr Vice President of TIBCS.

The Ethics Hearing Board will be the current elected officers of TIBCS. A minimum of five members present is required for any Official Ethics Hearing. A minimum of four members of the Ethics Board must be in agreement if Disciplinary Action is selected.

Appeals to Ethics Decisions must be filed no later than 30 days from any ruling of the Ethics Board. Notice of Appeal is to be sent by e-mail or by regular mail to the Ethics Chairperson and must include grounds for appealing the decision as well as any supporting documentation.

Appeals will be heard by a three member volunteer Arbitration Panel: (See following) Decisions will be based on the validity, fairness, and accuracy of the original decision only and will not be considered a new hearing on the original complaint. The Appeal will be by open CHAT on-line, and both parties to the dispute may be present. IF asked, they may participate.

ALTERNATE Hearing Method: A Three Member Arbitration Panel will be by selection of both parties. Each party will choose three names from the same list of six volunteer members of TIBCS. The Ethics Chair will notify the three chosen and assist in scheduling the hearing. A transcript of the hearing and the decision will be sent to the Ethics Chairperson following the conclusion. Decisions of the Arbitration Panel are binding upon both parties to a dispute. There is no Appeal to this type of Hearing. A FEE of \$40 is required for copies and distribution of arbitration hearings.

A: IMPORTANT COMPLAINTS (Common Dispute Procedure)

Upon receipt, the Ethics Chair will notify the person(s) named in the complaint, and an attempt will be made to negotiate a settlement between the parties. There will be NO decisions made until both sides are allowed to present information and documentation they choose to include. Should the accused party refuse to respond to or communicate with the TIBCS Ethics Chairperson, the matter will be referred to the Ethics Board for a decision based upon information available.

Every effort to reach agreement between parties will be made through mediation prior to a formal hearing. The elected members of the Executive Board shall serve as the Hearing Board for Ethics disputes unless both parties have chosen to abide by Binding Arbitration prior to a hearing. A minimum of five members of the Ethics Board are required to be present and a minimum of four in agreement are required for any disciplinary action against a TIBCS member. Rulings will be made based on evidence and information with reference to the TIBCS Code of Ethics and By-Laws. Both parties will be notified of the decision by the Ethics Chairperson. Either party may file an Appeal according to the procedures outlined within 30 days of the notification. Any notice of Appeal must contain information as to grounds for appeal based on the decision and include the Fee required for a binding arbitration hearing. There will be no hearings by anonymous individuals. All members of the Ethics Board will be bound by the Confidentiality Agreement. Confidentiality will be required of both parties in a dispute. There have been situations where a Member has been notified of a complaint by Certified Mail. When the mail is refused and no response to the complaint is made, attempts to contact the Member by telephone or e-mail are made. If no response is received, hearings will be held on the basis of the information received.

A word of caution: 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.

**ANY DISPUTE
AILED IN A
PUBLIC
FORUM, BY
THE
COMPLAINANT
WILL NOT BE
HEARD BY
TIBCS**