

## **Confidential Peer Review Process for Grievances**

Grievances are acknowledged as significant matters requiring prompt, professional, and impartial resolution. It is imperative that grievances are based on specific violations of the Association’s By-Laws, Code of Conduct, or other procedures adopted by the Board of Directors, grounded in factual evidence rather than opinion or speculation. Violations of law shall be

referred to law enforcement with jurisdiction and not adjudicated by this process. The use of ad hominem arguments, which involve attacking an individual's character or motivations rather than addressing a specific position or argument, is strictly prohibited. Moreover, the decorum throughout the process shall be professional, respectful, and truthful.

### **Basis for this Process**

The Association's By-Laws and Code of Conduct explicitly outline the conditions under which a member may seek redress for grievances. This structured process, conducted in accordance with Robert’s Rules of Order, mirrors the precedent set by IHRIM for grievances related to the HRIP examination, certification, or recertification. The process may be subject to periodic modifications to uphold the Association's high standards, align with the professional mission of IHRIM, and maintain the dignity of all involved parties.

It is essential to emphasize that this is not a legal proceeding but a peer-driven judicial process that is maintained in the strictest confidence. Peers in leadership roles are tasked with addressing and resolving concerns, including the most serious consequences, e.g., removal of leaders or termination of memberships, in accordance with the By-Laws, subject to amendments. Third-party representation is deemed inappropriate and is expressly disallowed to preserve the integrity and confidentiality of the process. All parties must sign (or re-sign) a confidentiality agreement and agree to abide by the outcome of the entire process, including the final decision, prior to starting the process.





## **Conflict Resolution through Mediation**

In anticipation of the formal complaint process, when conflicts arise involving two or more parties, and either one or both parties have initiated a complaint without successful resolution through direct negotiations, it becomes incumbent upon the IHRIM board members to diligently pursue all reasonable avenues to establish a mutually agreeable resolution that serves the best interests of the Association. Should the parties find themselves unable to independently reconcile their differences or express a preference for third-party mediation, a tribunal comprised of the Chairperson/CEO, Secretary, and an additional board member mutually acceptable to both parties shall be convened. In the event the Chair, Vice Chair, or Secretary cannot participate in the Tribunal, the seat(s) shall be filled by remaining members of the Executive Committee. If none of the Executive Committee can sit, or the parties cannot agree on a third board member to participate in the Tribunal, the open seats shall be filled by random drawing from among the remaining directors on the Board.

This Tribunal will be scheduled at a time convenient primarily for its members, with due consideration given to the parties involved.

During the mediation proceedings, the parties shall represent themselves (pro se), while the tribunal will facilitate an open, fair, and respectful discussion. The Chairperson/CEO, or in their absence, the Vice Chair, will preside over the meeting, with the flexibility to adjourn and reconvene as necessary to facilitate an amicable resolution. The initial mediation session will involve a comprehensive review of the complaint and pertinent facts, allowing both parties to present their perspectives, commencing with the complainant and followed by the respondent.

A successful resolution, in most cases, would encompass the withdrawal of all related complaints. If the majority of the tribunal determines that an amicable resolution is unattainable, the parties will then proceed to engage in the formal complaint process outlined below. The Secretary will meticulously document the mediation and subsequent proceedings in written, audio, and visual formats, encompassing essential details such as the names of complainant(s), the subject of the complaint, a concise description of the complaint, dates, times, and minutes of mediation meetings, as well as the resulting outcomes.

## **The Complaint**

In adherence to a lawfully acceptable due process as a private, member-managed, non-profit corporation under California Statutes, the complainant is required to present the complaint in



written form, typed and not exceeding 1000 words. The document, whether in the body of an email or attached, should include the subject of the complaint, a concise one-line description, the date or dates of the event, and a factual basis supporting the complaint. Any pertinent supporting materials must be included within or attached to the complaint, presented as immutable copies in Adobe PDF format.

Furthermore, the complaint is to incorporate the complainant's primary email address, postal address, and primary phone number, along with preferred times for contact. Upon submission of the complaint, the complainant implicitly agrees to be available at reasonable times and dates for potential meetings with the Executive Committee. Additionally, the complainant commits to providing any evidence substantiating the complaint in a timely manner. This process is designed to ensure a lawful and equitable resolution of the matter at hand.

### **The Form and Substance of a Complaint**

The complaint is to be conveyed via email to the Secretary and/or the Chairperson/CEO, with the subject line containing the term "Complaint." This transmission must occur within 30 days of the event(s).

Subsequently, either the Secretary, the Chairperson/CEO, or both will engage with the complainant to validate the facts, present alternative resolutions, and notify other relevant parties about the complaint. If no resolution is accepted, or the complaint is not voluntarily withdrawn, a copy of the complaint will be shared with the Executive Committee. The Committee will convene to assess the concerns and evidence outlined in the complaint.

In cases involving disputes among board or association members, the implicated parties will receive a copy of the complaint. They will be directed to refrain from unnecessary contact with each other, limiting interaction to that required for the execution of their duties, until the Executive Committee convenes to verify the facts presented in the evidence and to hear statements. All communications will be officially documented in writing, supplemented with audio-visual recordings when appropriate, and shared with the Executive Committee, including the Secretary. If the complaint is directed at a member of the Executive Committee or Board, they shall recuse themselves from all applicable proceedings except to provide statements and tender evidence.



## **Executive Committee Review**

As part of the peer-review process, the Executive Committee will convene within 20 business days of receiving the complaint. If necessary, a meeting will be called, and all involved parties are required to attend. The calendar will attempt to accommodate all schedules on days or evenings that have been usually and customarily used for Executive Committee and Board meetings, i.e., Tuesday and Thursday evenings; however, failure of the complainant to appear will result in automatic dismissal of the complaint. In cases involving board or association members, separate interviews will be conducted during this hearing to confirm the facts and authenticate evidence by the presenting party. Failure for any party to attend will prevent the Executive Committee from validating pertinent evidence presented by the absentee, and the Committee shall render a decision based on the complaint and supporting documentation.

The Executive Committee will issue a written decision to the full Board and the parties involved, provided it is reached unanimously. The decision may recommend dismissing the complaint, implementing appropriate remediation, or applying suitable discipline, such as censure, removal from office, removal from the Board, or termination of membership as may be outlined in the By-Laws. In the case of a unanimous recommendation by the Executive Committee to remove a Director, the Membership will be invited to attend a regular or special meeting in accordance with the bylaws to vote ratifying or rejecting the removal through a three-quarter majority confidential roll call.

## **Executive Committee Referral to Full Board**

If a unanimous decision cannot be reached, the Executive Committee may seek additional information via email or schedule a hearing with the full Board. If the Board does not ratify the unanimous decision of the Executive Committee, the Board of Directors will hold a special session to thoroughly assess the written, oral, and visual records related to the complaint.

During this hearing, the Board will review the facts in evidence and hear statements from the parties. Board members have the absolute authority to independently examine the involved parties and all relevant materials with examinations made part of the proceedings' record. A roll call vote will be conducted, and upon achieving a decision by a simple majority, the Board will issue a final decision to dismiss the complaint, implement remediation, or apply disciplinary measures, such as censure, removal of the Director from their appointment as an officer or committee head, or if removal from the Board, referred to the Membership for three-quarter



vote, or termination of the person's or organization's membership, as permitted by the By-Laws.

The Board may adjourn and reconvene as needed, with the aim of concluding its deliberations within 20 business days of the Executive Committee's referral.

### **The Finality and Impact of Decisions of the Board of Directors**

The Secretary will document the vote and draft a final written decision within five business days of the Board meeting. The decision of the Board of Directors is considered final and impartial, without any bias against any of the parties, and the entire process, records, evidence, and decision shall be maintained strictly confidential by all parties.