

Complaints Resolution Process American Herbalists Guild

Introduction and Explanation:

- All members agree to abide by the AHG Code of Ethics, Values, and Principles in their professional and public lives, including public discourse on line or off. To be more specific, this applies to both RH members and general members, including student members.
- The AHG respects and values diversity of opinions and ideals among its membership, as well as respectful discourse; the AHG Ethics, Values, and Principles are intended as a “shared circle” of values and not as a prescriptive.
- RH members may have certain additional and specific Ethics that they have agreed to abide by, pertaining to work as herbal practitioners, that may not be relevant to general members.
- Likewise, Symposium speakers, webinar presenters, writers for JAHG, etc. agree to abide in a broad sense to these values and principles, but some specific points may not be relevant.

Remedies:

- In the case of a member, depending on the outcome of the process outline below, the AHG may (1) censure a member (equivalent to a warning or statement of concern about a violation of AHG principles), (2) revoke membership temporarily or in more extreme cases, permanently, or (3) in the case of RH members, temporarily or permanently revoke the RH credential.
- In addition, those members serving on committees of the AHG can be censured or removed temporarily or permanently from their position on the committee as a result of the process outlined below.
- For speakers, teachers, writers who are not members, the only remedy AHG has is to cancel the article, webinar, class, etc. in question, or to not invite said person in the future or accept any contributions from them.
- The AHG has no capacity or authority for any remedy beyond public and/or private statements, as appropriate, and the actions outlined above. For example, the AHG has no legal authority for financial censure of any kind.
- The AHG has no capacity or authority for any action against a member of the public who is a non-member and who is also not teaching, presenting, writing, or otherwise participating in AHG events or activities.

AHG Complaints Process

For Complaints Lodged Against Professional Members Regarding Their Conduct

1. The AHG shall prominently display on its website an email address or on-line submission form, as well as phone number, for submitting complaints regarding the conduct of RH and general (including student) members, teachers/speakers, as well as RH members relating to their conduct as clinicians/herbalists.
2. Additionally the AHG, as stated in Bylaws Article 12 Section 5, shall require all professional members to disclose to their clients that they have the right to file a complaint with the AHG.
3. Confidentiality: All staff, Committee members, Council members, and others involved in this process will be required to put in writing their commitment to honor confidentiality throughout this process and in perpetuity.
4. All individuals involved in this process will adhere strictly to the AHG Conflict of Interest policy.
5. Urgency: Timeframes for dealing with what are considered serious complaints may be reduced so as to resolve an issue within the shortest possible time.
6. Complete records of every complaint, investigation, and resolution shall be kept by the ED.

Submission of Complaints and Initial Review:

1. For complaints first submitted by phone, the AHG may require complaints to be filed in writing, barring unusual circumstances that prevent that (such as illiteracy or low levels of literacy, language barriers, or cultural reasons).
2. Complaints will first be reviewed by the Executive Director. Acknowledgement of receipt of the complaint will be sent to the complainant within three business days. At this time the complainant should also be informed that confidentiality will be honored throughout the process, but that as part of the investigation the member in question will have the opportunity to respond to any allegations, and may therefore be able to determine who has filed the complaint.
3. Initial Review: The ED will conduct the initial review of the complaint within five business days. In the event of a Conflict of Interest, the President or other designated member of Council shall conduct the initial review. The purpose of the initial review is to determine the validity of the complaint; i.e. if it relates to an RH members' ethical or professional conduct including the AHG Code of Ethics, or conduct by an RH or general member, teacher, or speaker that potentially violates the core mission or values of the organization as stated in the Code of Ethics. The initial review will consist of a recommendation to (a) proceed with further

investigation, or (b) dismiss the complaint. A complaint will be dismissed at this stage only if the nature of the complaint is inapplicable and irrelevant to this process; i.e. even if true, the action would not result in a sanction of any kind against the member or individual. The results of the initial review will be submitted to the Complaints Committee (see below).

Ethics Review Committee:

1. The AHG shall establish a standing Ethics Review Committee to address complaints against members. This committee will consist of at least three members and include at least one Council member. In general members of the Committee shall be RH members in good standing, although general, student, or other non-professional members can be invited to serve on the Committee based on specific expertise, such as but not limited to legal expertise, or experience in mediation, conflict resolution, or appeals processes. The Committee will decide matters by consensus whenever possible, and in the event of lack of consensus may consult with Council. The Committee shall inform the Council in an ongoing manner of any complaints being considered and the status of the complaint.
2. Ethics Review Committee members shall strictly abide by Conflict of Interest policies as established by the AHG Council and outlined elsewhere, and shall recuse themselves from any review of a member with whom they have a substantive relationship.
3. The committee as a whole shall examine any initial reviews conducted and determine their agreement or lack of agreement with the results. This should take place within ten business days of receipt of the complaint.
 - a. If the initial review called for an investigation, whereas the Committee decides none is necessary, this result will be sent to the full Council for review and final decision.
 - b. If the Committee decides that an investigation is warranted, that investigation will take place (see below).
 - c. If the initial review and the Committee are in agreement to dismiss a complaint, the complainant shall be notified within five additional business days of the decision, the reasoning behind it, and their right to appeal the decision within three weeks.
4. Investigation:
 - a. The Committee will designate an investigator (who can be but does not have to be a member of the Committee) to follow up with both the complainant and the member against whom the complaint was filed, to gather more information, including documentation of evidence, as needed.

- b. Within three weeks, barring extenuating circumstances, the investigator will issue a recommendation to the Complaints committee in writing. This recommendation may include:
 - i. Termination of membership
 - ii. Suspension of membership or other sanction, statement of concern or warning, etc. (Statements can be public or private depending on the nature of the incident provoking the complaint and the appropriateness as determined.)
 - iii. Other remedies outlined above in this document
 - iv. Dismissal of the complaint
 - v. Referral of the matter to other professional or state associations.
- c. At this stage either the investigator or the Committee may also determine that more time is needed for the investigation. Additional time should be kept to a minimum, and every 30 days the investigator or committee must provide a written update and request a continuance if needed.

Final Determination and Appeals:

1. Once the Committee has decided on the recommendation, it will be sent to the Council for review and final decision, which shall be done within three weeks of the receipt of the recommendation. Council may determine the need to consult legal counsel before a final decision is made. At this time the ED will inform both parties to the dispute of the determination, and their right to appeal the decision within three weeks.
2. Appeals: If the person or entity who has submitted a complaint or the subject of a complaint submitted to the AHG is not satisfied with the outcome of the complaints process (the findings and determination), either party has the right to appeal the decision. This appeal must be made in writing within three weeks and must include reasons for requesting the appeal. The appeal will be heard by a joint meeting of the ED and Council. Council may seek additional input or advice as it sees fit.

Investigations Initiated by the Council:

The AHG reserves the right to launch an investigation for any reason at its discretion, provided that it relates to a members' ethical or professional conduct including the AHG Code of Ethics, or conduct that potentially violates the core mission or values of the organization. This includes rumors, allegations of abuse, and other information obtained by the AHG that may be investigated in the same manner as officially submitted external complaints. However, the Council must approve the initiation of any such investigation.