

Grievance Policy

Scope of Code of Ethics

The Clinical TMS Society (“Society”) requires compliance with the Code of Ethics (“Code”) by all participants, staff, guests, and vendors at all Society events, including the annual meeting, committee meetings, webinars, or other activities sponsored or promoted by the Society, whether held in public or private facilities. The Society is committed to a safe and productive experience for all participants and attendees at official events. This policy is not an acknowledgement, admission, or description of the Society’s legal or other obligations with respect to any of the subject matters addressed herein, nor does it create any such legal obligations.

Complaint Form Background

The Society has adopted a complaint form by which formal complaints can be submitted to leadership. Complaints for example could be about harassment, demeaning or abusive conduct in any form, such as verbal, physical or by email, in person or during electronic meetings. They can also be about policies and procedures and matters related to due process. Complaints may be submitted by members or non-members for consideration. It is impossible to define every instance that could lead to a complaint. The Society has a “zero tolerance” policy toward discrimination and all forms of harassment. The Society reserves the right to discipline meeting participants who engage in any inappropriate conduct, even if it is not specifically referred to or defined in the Code or is not legally actionable as sexual or any other form of harassment.

Reporting an Incident

Complaint forms should be submitted to the Society Executive Director, by email to: info@clinicaltmsociety.org, or regular mail to: 4747 N. First Street, Suite 140, Fresno, CA 93726. If the individual is uncomfortable reporting the conduct to the Executive Director of the Society for any reason, the individual may report the conduct to the Member At Large of the Society Executive Committee (EC). If the complaint involves the EC, the complaint can alternatively be directed to the Chair(s) of the Legal, Business & Ethics (LBE) Committee. Emails for the current Member At Large of LBE Chair(s) can be obtained by calling the Society at 845-392-3238.

Anyone making a complaint about an individual or group is not required or expected to discuss the concern with the alleged offender(s), if any. Anyone experiencing or witnessing behavior at a Society event that is an immediate or serious threat to the safety of those present, or to the public, is advised to locate a house phone and ask for security, or to otherwise contact the authorities for protection.

The Society can only address complaints as they are brought to the attention of leadership. Incidents of perceived violations of the Code or other complaints should be reported as quickly as possible. The Society is committed to taking reasonable steps to prevent harassment and other prohibited conduct at its events and should make reasonable efforts to promptly and completely address and correct any prohibited conduct that may

occur. The Society should keep the investigation complaints as confidential as reasonable. The Society can only investigate complaints arising from Society meeting or other sponsored events. If someone experiences inappropriate conduct or harassment at their own or other institution, workplace, or online but not via Society sponsored events, then that individual should contact the appropriate person or department responsible at that outside institution or entity.

Investigation

The Society should promptly and impartially investigate the facts and circumstances of any complaints under this policy. A letter or email confirming receipt of the grievance will be promptly submitted to the person filing the complaint. The Society should make reasonable efforts to keep the reporting person's concerns confidential and should not deliberately share personal information, other than that necessary to conduct the investigation. While complete confidentiality cannot be guaranteed, best efforts should be made to keep the investigation and its findings as confidential as reasonable under the circumstances. The EC may appoint one or more of its members to investigate the complaint, if received within a week of a monthly meeting. Outside that time frame, the Society President should appoint a(n) investigator(s), and add the complaint to the agenda of the next EC meeting. In the event the complaint involves the Executive Director or one or more members of the EC, the complaint may be directed to the Chairperson(s) of the LBE Committee, who may appoint one or more of its members to investigate the complaint.

During an investigation, the investigator(s) or a designated independent consultant subject to obligations of confidentiality, should typically do the following (as necessary) and then determine the appropriate action:

- document the nature of the complaint;
- interview the complainant;
- conduct any necessary further interviews including identified witnesses and, at an appropriate time, the alleged offender(s);
- document a summary of facts and findings regarding the complaint;
- document any follow-up actions, if any, that have already been taken; and
- report in writing back to the committee overseeing the investigation (EC or LBE)
- once concluded, inform the complainant of nature of the Society findings and resolution.

All attempts should be made to investigate any complaint in a prompt and timely manner. Upon completion of the investigation, Society leadership should take appropriate corrective measures against any person who has engaged in conduct prohibited by policy, if the Society determines such measures are necessary. Issues requiring urgent intervention should be decided by the EC, and/or the LBE Committee, and reported to the Society Board of Directors ("Board") at the next scheduled meeting. Procedural, bylaw, and other less urgent complaints should be added to the agenda for the next Board meeting for discussion and resolution at that time.

Remedial or Corrective Action

If the Society determines that an individual or entity has engaged in prohibited conduct, it shall determine the appropriate action to be taken, which may include, but is not limited to:

- a private warning by phone or private letter;
- a private formal reprimand either verbally or by private letter;

- removal from any meeting without warning or refund;
- removal from any committee;
- implementation of conditions upon attendance at future meetings;
- restriction from attendance at future Society Meetings; or
- expulsion from the Society.

The Society may, but is not required to, report any incident to proper authorities, including but not limited to law enforcement, if, in its sole discretion, such reporting is advisable or necessary. Nothing in this policy shall restrict or discourage any individual who experiences or is the target of conduct prohibited by this policy from reporting such conduct to the authorities, to the extent he or she deems such a report advisable or necessary.

Retaliation Is Not Tolerated

Retaliation for complaints, including those of inappropriate conduct or harassment is also considered harassment and should not be tolerated. Retaliatory behavior in connection with Society meetings should be investigated in a similar manner to initial complaints.

Clinical TMS Grievance Form

The Clinical TMS Society is committed to expectations of professional and ethical behavior among its members and staff. As per the Society's Code of Ethics and its policies, grievances may be lodged formally in writing; for your convenience, this online form can be used to put your grievance in writing or you are also free to submit your concerns as a letter. The Executive Committee ensures every effort will be made to address your grievance expeditiously, so as not to prolong any difficulty or problem. If your grievance involves the Executive Committee, your form will be addressed by the Legal Business and Ethic's Committee. You will receive a confirmation receipt immediately following the submission of your grievance.

Name: _____

This is my written statement of a complaint about events that occurred on (Give date or dates that the cause for the complaint began and ended or is continuing.):

The following occurred or has been occurring (Explain the events, actions, remarks, circumstances, and the individuals involved):

Optional: The ways in which I have been affected by the problem are (Explain the ways in which you feel that you have been harmed, inconvenienced, or otherwise troubled by the situation.):

Optional: The solution or remedy I am seeking is (Explain what you would like us to do to correct the situation.):

Member Signature

Date