|  |  |
| --- | --- |
| \\axb-dc2\user\RCP\My Pictures\WHBA Logo.png | WINNEBAGO HOME BUILDERS ASSOCIATIONBOARD OF DIRECTORSGUIDELINES FOR HANDLING COMPLAINTS |

 The following Guidelines for Handling Complaints are the procedures that apply to a complaint received by the Winnebago Home Builders Association relating to an alleged violation of its Code of Ethics.

**STEP 1: RECEIPT OF WRITTEN COMPLAINT AND REFERRAL TO ETHICS COMMITTEE**

The Board has received a complaint regarding the following Member:

This matter has been referred to the Ethics Committee, which is made up of the following persons:

|  |
| --- |
|  |
|  |
|  |

 Note: If there is not a standing Ethics Committee, then the Board of Directors shall review the complaint and act as the Ethics Committee. For the purpose of the prompt resolution of a complaint, the Board of Directors may choose to jointly hold a hearing with the Ethics Committee.

**STEP 2: REVIEW OF COMPLAINT**

 Upon receipt of a written complaint, the Ethics Committee shall:

* review the allegations in the written complaint;
* interview the complainant regarding the allegations;
* interview any persons with direct, relevant information;
* review any other information submitted by the Complainant; and
* allow the Member subject to the complaint to respond either in person or in writing, and to present any persons or materials that are relevant to the allegation.

**STEP 3: RECOMMENDATION**

 After Review of the Complaint, the Ethics Committee recommends to the Board of Directors that the Board take the following action (Mark Appropriate Box):

|  |  |
| --- | --- |
|  | Send a letter of warning to the member. |
|  | Immediately suspend the member. |
|  | Immediately Remove from the Association’s Membership roster. |
|  | Dismiss the complaint (i.e., take no action against the member). |
|  | Other action that it deems just and equitable: |
|  |

The basis for the Recommendation is (insert the provision(s) of the Code of Ethics was violated and what facts support the violation – SEE PAGE 4-5):

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

**STEP 4. DISCIPLINARY ACTION BY THE BOARD OF DIRECTORS**

Based on the Recommendation of the Ethics Committee, the Board of Directors takes the following disciplinary action against the Member (include the basis for the action):

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

**STEP 5. APPEAL**

 The Member subject to discipline may appeal the discipline to the Board of Directors. The Board of Directors shall allow the Member to present a written statement setting forth the reasons its decision should be modified. After reviewing the written statement, the Board shall affirm its prior decision, modify its prior decision or vacate its prior decision.

 After reviewing the Member’s appeal, the Board of Directors take the following action:

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

**GROUNDS FOR DISCIPLINE**

 The Board of Directors shall be responsible for enforcing the Code of Ethics. To discipline a Member, the Board of Directors shall review the recommendation of the Ethics Committee. The basis of discipline must be a violation of the Code of Ethics.

 **CODE OF ETHICS***Bylaws, Article III, Section 1.*

The members of the Association shall subscribe to the following Code of Ethics:

* Members shall conduct business affairs with professionalism and skill.
* Honesty is our guiding policy.
* All housing shall be built to meet or exceed the minimum standards of the industry as defined by state and local codes.
* Members shall comply with both the spirit and letter of business contracts.
* Members shall not obtain any business through fraudulent means, knowing acts of omission or by use of implications unwarranted by fact or reasonable probability.
* Members shall not perform or cause to be performed any act which could reflect discredit or disrepute on any part of the building industry and/or the Association.
* Members obtaining construction payouts shall promptly pay creditors and not use the funds for other purposes.
* To provide the best housing value possible.
* Members shall support and abide by the decisions of the Board of Directors in promoting and enforcing this Code of Ethics.
* No Member shall attempt to insure, either directly or indirectly, the professional reputation, prospects, practice, or employment of another Member.

Members assume the responsibilities of this Code of Ethics freely and solemnly and are mindful that these responsibilities are a part of their obligation as members of the Madison Area Builders Association.

**PROHIBITED FACTORS:**

**ANTICOMPETITIVE PRACTICES**. WHBA supports the system of free enterprise and open competition. Monopolies or any kind of price or wage fixing, are detrimental to the system of free enterprise. Unfair business practices are practices that are likely to reduce competition and lead to higher prices, reduce quality or levels of service, or less innovation. Anticompetitive practices include activities like [price fixing](http://www.ftc.gov/tips-advice/competition-guidance/guide-antitrust-laws/dealings-competitors/price-fixing), group boycotts, and exclusive dealing contracts or the application of trade association rules to bar competitors. THE BOARD OF DIRECTORS SHALL NOT DISAPPROVE ANY APPLICATION ON ANY BASIS THAT WOULD BE AN UNFAIR OR ANTICOMPETITIVE BUSINESS PRACTICE.

**EQUAL OPPORTUNITY.** In reaching its decision as to any membership application, the Board of Directors shall not deny an application on the basis of sex, race, color, creed, disability, sexual orientation, national origin or ancestry.

\*If the basis of the complaint is “criminal behavior” or based on a “credit check,” consult with legal counsel before making final decision.