

Official AC Appeals Committee Document

I. Purpose

In its role as advisor to the Board of Governors (BG), the Advisory Council (AC), at the recommendation of the BG, has determined to form a PTC Appeals Committee. The Appeals Committee would consider and make recommendations to the BG pertaining to any issues, concerns or complaints regarding the PTC that are referred to it by either the BG, Secretariat, or members and associates to the PTC. It is the intention of the BG, as the governing body of PTC, to form an independent and yet affiliated body to advise it with regard to such matters, as further described below.

II. Functions of the Appeals Committee

The primary function of the Appeals Committee

1. It is expected and anticipated that any issues, concerns or problems relating to PTC will be referred in the first instance to the Secretariat and its Executive Director (ED) for resolution, which decisions may thereafter be referred to the BG for resolution by the BG as the governing body of PTC.
2. It is also recognized that, in certain limited cases, a member (a "Requesting Member") may wish to seek the advice of an independent committee within PTC prior to seeking formal resolution by the Secretariat and/or the BG.

The following provisions address the formation and procedures governing the actions of the Appeals Committee.

III. Membership

A. The Appeals Committee will be elected by the AC and will be comprised of five (5) AC voting members. The members of the Appeals Committee will serve two-year staggered terms. The AC or Appeals Committee may include non-voting advisors (such as ethicists, lawyers, counselors, or professional facilitators) from within or beyond the AC to provide additional expertise. In order to achieve the staggered terms noted above, at the annual meeting of the AC in 2006, the AC will elect two members of the Appeals Committee for a one-year term and three members for a two-year term. At each annual meeting of the AC, beginning in 2007, there will be an election for those seats on the Appeals Committee whose terms expire at that annual meeting, each such seat having a two-year term.

B. Those who are elected should, whenever possible, represent diverse nationalities and professions, include both genders, and ideally should have some relevant professional training in fields such as ethics, negotiation, arbitration, counseling, law, policy and similar fields.

C. The Appeals Committee will make recommendations to the BG but no member of the BG may serve on the Appeals Committee. No member of the Appeals Committee may serve for more than three consecutive terms. The Appeals Committee will self-select a Chair. The Appeals Committee will report directly to the BG and will not be required to report to the full AC.

IV. Procedures and Safeguards

- A. All recommendations by the Appeals Committee to the BG shall be made:
1. in writing
 2. only after attempted consultation with all involved parties who are willing to communicate on the given matter
 3. only after a discussion not only of the case but also of the Appeals Committee's methods for sustaining impartiality in their deliberations,
 4. after a majority vote of the voting members of the Appeals Committee after which the Appeals Committee shall prepare and deliver its Recommendation to the BG. Minority reports may also be submitted as addenda to the Recommendation.
- B. Although Appeals Committee recommendations are not binding on the BG, they must be fully read and considered by all BG members and considered at a meeting of the BG at which there is a quorum.
- C. If the BG decides not to follow any recommendation of the Appeals Committee, then a written rationale for its decision shall be provided to the Appeals Committee.
- D. The Appeals Committee's deliberations shall be confidential. The level of confidentiality regarding the recommendations must be made clear after consultation with all involved parties (e.g., the confidentiality loop might include only the ED and BG and germane members; or the AC as a whole may also be within the confidentiality loop; or the outcome made public). Constant attempts should be made to protect the reputation, privacy and accurate representation of all involved parties unless an indiscretion or problem has occurred of such magnitude that the PTC membership must be informed. Only after consideration by the BG and ED of the nature and scope of the communication required will a confidentiality level be changed.
- E. These safeguards shall be such that both the Appeals Committee and BG retain their autonomy and there is never an appearance or actuality of favoritism, cursory treatment or arbitrariness. One objective is that all PTC members should have the assurance that, in all disputes, PTC seeks the highest level of justice, fairness, deliberation and impartiality without regard to office or background.
- F. This policy is intended to create an environment where a Requesting Member can request review by the Appeals Committee. The Requesting Member can act without fear of reprisal or retaliation. For that reason, the Requesting Member's identity will be kept confidential to the extent possible and consistent with the need to investigate and respond to an appeal. Neither the Appeals Committee nor PTC will revoke membership privileges, threaten, harass, or in any other manner retaliate against a Requesting Member because a Requesting Member, or any other member, has lawfully provided information, caused information to be provided, or otherwise assisted in a review of a matter that the Requesting Member reasonably believes constitutes a bona fide appeal.
- G. Upon approval of this document in 2006, the AC will welcome nominations and hold elections such that the Appeals Committee may begin to function by May 2006.
- H. The PTC officers and Secretariat will make every effort to publicize the existence, composition and contact information for the Appeals Committee to its members, primarily through posting this information on the PTC website.

I. The Appeals Committee will seriously consider all concerns forwarded to it, although the Appeals Committee may refuse to consider any request which seems trivial or specious to the entire Appeals Committee.