



FORMAL COMPLAINT AGAINST A MEMBER

Please carefully read the enclosed Code of Ethics of the MTAM to consider how/if the behaviour(s) that you observed, experienced, or were told about is a possible violation.

Prepare and submit 'in writing' an outline of the complaint describing the behaviour(s) or act by the Member/Massage Therapist that is the basis of the complaint. Indicate date(s), number of occasions, and a description of the behaviour(s) of concern. There may be attachments, such as receipt copies, a letter from a third party, an advertisement or article that you would like to attach for reference during investigation of the complaint.

Please make certain that your complaint includes:

- a) Name of Massage Therapist
- b) Date(s) of alleged violation by Massage Therapist
- c) Description of incident(s)
- d) Your signature
- e) A mailing address and telephone number for contact purposes

Send documentation to:

Complaints Committee Chairperson, *Private and Confidential*
Massage Therapy Association of Manitoba, Inc.
611-428 Portage Avenue
Winnipeg, Manitoba
R3C 0E2

All Complaints are received, investigated and maintained under strict confidentiality by the Executive Director.



Complaints Procedures Overview

1. **The ‘written’ complaint is received by the MTAM Complaints Chairperson (1st Vice President of the MTAM) who reviews the complaint together with the Executive Director.**
 - **The Chair may proceed with investigation of the allegations by meeting with the complainant and by utilizing a ‘third party’ investigator who shall interview the complainant and the member with respect to the complaint and other parties as required and have appropriate reports prepared.**

Note: At this stage, the Chair or the Executive Director on behalf of the Chair, is obliged to contact the member to make the member aware of the complaint and to provide copies of the written complaint, and to provide a reasonable opportunity for the member to respond to the complaint prior to a final recommendation by the Complaints Chair of action to be taken by the MTAM.

The Chair at this point may also receive legal advice as to the jurisdiction of the MTAM in the complaint.

If it is determined that the MTAM has no jurisdiction pertaining to the complaint the Chair may determine not to proceed any further with the complaint process.

2. **If the complaint is established as substantive, the Chair of the Complaints Committee must convene a ‘Discipline Hearing’.**
3. **The membership of the ‘Discipline Hearing Panel’ shall be comprised of the 1st Vice President and 2nd Vice President and one member of the public ‘at large’ who shall consider all evidence, conduct the hearing process and make a final determination on validity of the allegation and any associated discipline of the member.**
4. **The ‘Discipline Hearing’ will permit the member and other parties to make representation; to be questioned about their involvement in the complaint ; to permit expert witnesses to give opinion about the facts concerning the complaint; and for legal counsel, if engaged, to represent their clients, in**

the hearing process. The ‘Hearing Panel’ may have legal resource if required.

- 5. Members of the ‘Discipline Hearing’ panel will render their final decision on the complaint following a time frame that is reasonable and flexible to all parties and one that provides ample opportunity for representation by legal counsel for all parties involved in the complaint if required.**

Note: The panel may recess the hearing, at its discretion, to review information, to seek legal advice on matters affecting the ‘Hearing’ or to permit participants additional time to prepare for representation before the panel.

- 6. The ‘Discipline Hearing’ panel shall produce a written decision to all parties within 10 days following the end of the hearing.**
- 7. The ‘Complainant’ may appeal any decision of the panel to the MTAM Board of Directors whose decision will be final.**
- 8. The ‘Complainant’ also has recourse to the judicial courts of the Province of Manitoba.**