

Soundboard Association

Code of Conduct

1. **PACE SRO Standards.** Members will commit to follow the PACE Self-Regulatory Organization (“SRO”) Standards. Any terms not defined differently herein will have the meanings set forth in the PACE SRO Standards. Among the other important PACE Standards, each Member will commit to PACE’s “Consumer Bill of Rights”.
 - 1.1. Members will commit to uphold the highest standards of conduct in customer engagement, consistent with the following principles:
 - 1.1.1. Be fair, responsible and honest, and follow the standards set forth herein as well as applicable federal and state laws and regulations.
 - 1.1.2. Treat consumers with courtesy, dignity and respect.
 - 1.1.3. Provide accurate information in a clear and understandable manner in all communications with consumers.
 - 1.1.4. Not engage in undue sales pressure or unfair, deceptive or abusive tactics.
 - 1.1.5. Respect consumers’ privacy and protect their personal information in a secure manner.
 - 1.1.6. Provide prompt, high-quality customer service designed to respond to consumers’ changing needs and expectations.
2. **Definitions.** When used herein, the following terms will have the definitions set forth below.
 - 2.1. **Board.** The Board shall mean the Board of Directors of the Soundboard Association.
 - 2.2. **Bylaws.** The Bylaws shall mean the Bylaws of the Soundboard Association as the same may be amended from time to time by the Board of Directors of the Soundboard Association.
 - 2.3. **Call Latency.** Call Latency shall mean the average period of time measured between the end of a Consumer’s response and the appropriate response by the Soundboard Representative.
 - 2.4. **Consumer.** Consumer shall mean any person engaged in a call with a Member using Soundboard Technology, including both inbound and outbound calls.
 - 2.5. **DNC Registry.** DNC Registry will mean the National DNC Registry and all State DNC Registries.
 - 2.6. **FTC.** The FTC shall mean the Federal Trade Commission.

2.7. **FCC.** The FCC shall mean the Federal Communications Commission.

2.8. **Members.** Members shall mean all organizations admitted as Members of the Soundboard Association, including all classes of members defined in the Bylaws of the Soundboard Association, as the same may be amended from time to time.

2.9. **National DNC Registry.** The National DNC Registry shall mean the current and any future National Do Not Call Registry established by the FTC pursuant to the Do-Not-Call Implementation Act of 2003.

2.10. **PACE.** PACE shall mean the Professional Association for Customer Engagement (www.paceassociation.org), a “non-profit trade organization dedicated exclusively to the advancement of companies that use a multi-channel approach to engaging their customers, both business to business and business to consumer.”

2.11. **PACE SRO Standards.** PACE SRO Standards shall mean the standards or code of conduct established by PACE for a PACE member organization to become a PACE self-regulatory organization (www.pacesroconnect.org).

2.12. **State DNC Registries.** State DNC Registries shall mean any and all do not call registries created and maintained by the agencies and departments of any State.

2.13. **Soundboard Representative.** Soundboard Representative shall mean the employee, contractor or agent of a Member organization conducting a call with a Consumer using Soundboard Technology.

2.14. **Soundboard Technology.** Soundboard Technology shall mean any means or method by which a Soundboard Representative, using scripted responses and messages, conducts phone calls with Consumers.

3. **DNC Registry.**

3.1. Each Member commits to adhere to all applicable rules and regulations under the FTC DNC Implementation Act of 2003 governing access to, use of, and compliance with the National DNC Registry, and shall take reasonably necessary steps to integrate itself and any of its clients with the National DNC Registry.

3.2. Each Member commits to adhere to all rules and regulations governing access to, use of, and compliance with all State DNC Registries, and shall take reasonably necessary steps to integrate itself and any of its clients with applicable State DNC Registries.

3.3. Each Member commits to adhere to the DNC Registry standards set forth in the PACE SRO Standards.

4. State and Federal Regulations.

- 4.1. Each Member commits to adhere to all rules and regulations established by the FTC, FCC, or any other Federal department or agency governing calls using Soundboard Technology.
- 4.2. Each Member commits to adhere to all rules and regulations established by any department or agency of any State of the United States governing inbound and outbound calls using Soundboard Technology.
- 4.3. Each Member commits to accurately provide to all Consumers any and all disclosures required by State and Federal laws, rules and regulations. All required disclosures shall be delivered to a Consumer at a rate no faster than 120 words per minute and at a volume consistent with the entire call.

5. Quality Assurance.

- 5.1. Call Latency. Each Member will use its best efforts to minimize Call Latency when using Soundboard Technology. These efforts will include, at a minimum, appropriate training of any and all Soundboard Representatives who use Soundboard Technology, effectively measuring and monitoring the Call Latency of Member calls and implementing steps to reduce Call Latency when it is discovered that average Call Latency is more than one second.
- 5.2. Call Accuracy. Each Member will implement procedures or methods to increase the accuracy of calls, measured in terms of the extent to which Soundboard Representatives provide appropriate scripted responses based upon a Consumer's responses.
- 5.3. "Hard-No" Rules. Each Member will establish and follow "hard-no" rules for all calls using Soundboard Technology, meaning that rules and standards will be established and properly communicated to its Soundboard Representatives by each Member as to when a call must be ended by a Soundboard Representative because a Consumer has clearly communicated to the Soundboard Representative his or her clear desire not to participate further in the call, and implement the use of Soundboard Technology to enforce such rules with Soundboard Representatives.
- 5.4. Single Soundboard Representative. Each Member will implement procedures whereby each call is conducted by the same Soundboard Representative until such time as it is clearly communicated to the Consumer that they will be transferred to another Representative.
- 5.5. Early Termination of Call. Each Member will implement procedures to limit a Soundboard Representative's ability to terminate or disconnect a call with a Consumer.

5.6. Live Voice Representative. Members will not engage in any practices intended to deceive or otherwise conceal the fact that the Soundboard Representative is using Soundboard Technology. If a Consumer asks a Soundboard Representative if they are speaking to a live or real person or otherwise questions in any way if the Consumer is speaking to a live person (e.g. “Is this your real voice?” or “Is this a robot?”), each Member will implement the scripted response shown in 5.6.1 that communicates to the Consumer that they are speaking to a Soundboard Representative who is using Soundboard Technology and that provides the Consumer with the option to speak with a live voice representative who is not using Soundboard Technology.

5.6.1. Members will use language similar to the following response if a Consumer asks if they are speaking to a live or real person or otherwise questions in any way if the Consumer is speaking directly to a live or real person. **“I am a live person using scripted responses to ensure the information I give you is accurate. Is that OK with you?”**

5.6.2. The scripted response required herein will also include an option (“opt out”) for the Consumer to speak to a Soundboard Representative who is not using Soundboard Technology. Each Member will implement a method or process whereby a Consumer begins communicating directly with the Soundboard Representative who is conducting the call or is otherwise transferred to a different Soundboard Representative who can communicate directly with the Consumer without the assistance of Soundboard Technology.

6. **Data Record.** If permitted by federal, state and local laws, Members may make and keep an audio recording of each call. In addition, each Member will implement a means and method of creating a data record of each call by a Soundboard Representative that includes, at a minimum the following data:

6.1. The name of the Soundboard Representative making or receiving the call;

6.2. The date and time of the call;

6.3. The telephone number used to make the call; and

6.4. The call path, meaning the order of the scripted responses used by the Soundboard Representative in the call.

7. **Board Intention.**

7.1. It is the intention of the Board that this Code of Conduct set forth a floor, not a ceiling, for standards to be implemented by Members. No Member is precluded from implementing policies and procedures that provide greater protections to Consumers.

- 7.2. The Board recognizes that not all of the standards contained in this Code of Conduct will apply to all Members, but intends that all Members use their best efforts to comply with the Code of Conduct to the extent that it applies to its organization.
- 7.3. Where there is any conflict between this Code of Conduct and any State or Federal laws, rules or regulations, the State and Federal laws, rules and regulations shall prevail.
- 7.4. This Code of Conduct may be modified by the Board at any time. Each Member is responsible for remaining up-to-date with any changes to this Code of Conduct.
8. **Enforcement.** The Board intends that Members will enforce this Code of Conduct on themselves. It is the responsibility of each Member to use its best efforts to comply with this Code of Conduct.
 - 8.1. **First Non-Compliance.** If a Member fails to comply with this Code of Conduct once within a twelve-month period, the Member will receive a warning from the Soundboard Association. Upon such an occurrence, the Member will use its best efforts to take any corrective action necessary to ensure that it complies with this Code of Conduct.
 - 8.2. **Second Non-Compliance.** If a Member fails to comply with this Code of Conduct twice within a twelve-month period, the Member will receive a second warning from the Soundboard Association. Upon receipt of this second warning, the Member will use its best efforts to take any corrective action necessary to ensure that it complies with this Code of Conduct and will deliver to the Soundboard Association within 30 days of such warning a general description of the steps taken or to be taken to correct the non-compliance.
 - 8.3. **Third Non-Compliance.** If a Member fails to comply with this Code of Conduct for a third time within a twelve-month period, the Member's membership in the Soundboard Association will be revoked for a period of one year. The former Member may reapply for membership in the Soundboard Association one year after the revocation or thereafter.
 - 8.4. **Revocation of a Member's membership interest** means that the former Member will not be entitled to any of the benefits of membership in the Soundboard Association, including the ability to publicize its membership, use the Soundboard Association logo (stamp of approval), or otherwise imply to any person that it complies with the Soundboard Association Code of Conduct. The Member must immediately remove any references to the Soundboard Association from its website(s) and any of its printed materials. Revocation will not entitle the former Member to a refund of any membership fees already paid.