

## Member Discipline Policy

Policy Name	WEF Member Discipline Policy
Policy Category	Governance
Policy Number	2020-002
Policy Origination and Review Dates	August 2020; July 2021
Requirements	Not required to comply with federal or state statutes
Review Cycle	4 Years
Legal Review Needed	No

### A. General Policy Statement

Membership in WEF is a privilege and not a right. WEF is committed to providing a professional, safe, and welcoming environment for all members. Members are subject to discipline if the member's conduct conflicts with the WEF Member Code of Conduct ("Code"). This policy outlines WEF's process for investigating and taking disciplinary action against a WEF member for violations of the Code.

The WEF Board of Trustees ("Board") is the governing body of WEF and holds legal and fiduciary authority on behalf of WEF and its membership including the authority to discipline members, up to and including expulsion from WEF.

### B. Member Discipline Procedure

Any person or Member Association (collectively "Complainant") may bring a complaint against any member ("Respondent") if they believe in good faith that the Respondent violated the Code. Complaints must be in writing, submitted on a WEF Member Code of Conduct Complaint Form ("Complaint"), provide all facts upon which the complaint is based, provide any supporting documentation, and be delivered to WEF's Executive Director ("ED") by regular mail or email. The ED will acknowledge receipt of the Complaint to the Complainant and will also alert the WEF member's MA affiliation, as appropriate, of the existence of a complaint, on a confidential basis, after first ensuring the primary MA contact does not have a conflict of interest in connection with the Complaint or, if so, to an alternate contact for the MA.

#### ***Ethics Subcommittee***

The ED will share the Complaint with the Ethics Subcommittee ("ESC") on a confidential basis after

first ensuring no ESC member has a conflict of interest in connection with the Complaint. The ESC will consider whether the Complaint is sufficient and the alleged conduct is within the scope of the Code. The ESC may also provide a copy of the Complaint to WEF legal counsel for review. If the Complainant is a witness (third-party) to a violation of the Code that occurred, the individual who was directly affected will be asked, but is not required, to participate in any needed ESC investigation along with the Complainant.

If the ESC determines that the conduct alleged is outside of the scope of the Code, or that the Complaint is incomplete or insufficient, the ESC will dismiss the Complaint and so notify Complainant providing enough detail about the reasons for dismissal to support the Complainant in preparing an amended Complaint, if desired. Complaints deemed by the ESC to be incomplete or insufficient may be corrected and resubmitted by the Complainant.

If the ESC determines that the Complaint is sufficient, and that the conduct falls within the scope of the Code, the ESC, through the ED, will provide notification, in writing and marked “Personal and Confidential – To Be Opened Only by the Addressee”, to the Respondent, including a copy of the Complaint, a copy of this Policy, a copy of the Code, and all relevant facts and documents. Notification to the Respondent is sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. WEF shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to submit a written response to the ESC on the Complaint or to request an extension of time in which to respond; the response should be sent to the ED by email to [ExecutiveDirector@wef.org](mailto:ExecutiveDirector@wef.org) or by regular mail. The ED will acknowledge receipt of the Respondent’s response.

Upon the ESC’s receipt of the Respondent’s response or, if none, 31 days or more after the delivery of the Complaint notice or the final delivery attempt date of the notice, the ESC will meet to review the Respondent’s response (if any) and any additional information obtained. The Respondent will be invited to participate for up to a 30-minute portion of the meeting to present their viewpoint via a virtual/teleconference connection. The ESC will then decide, by a majority vote, whether the Respondent violated the Code. If the ESC determines that the Respondent did not violate the Code, the Complaint is dismissed, and the Respondent, the Respondent’s MA (if applicable) and the Complainant are notified in writing. If the ESC determines that the Respondent violated the Code, the ESC decides by majority vote on the disciplinary action(s) against the Respondent to recommend to the Board.

### ***Board of Trustees***

The ESC’s recommendation for disciplinary action is sent to the Board for review in an Executive Session after first ensuring no Board member has a conflict of interest in connection with the

Complaint. The Board determines, by a majority vote, whether to accept the ESC's recommendations; to modify the ESC's recommendations; or to send the matter back to the ESC for further consideration of any discussion and/or new information.

If the Board, by a majority vote, decides to take disciplinary action(s) against the Respondent, the Respondent, the Complainant, and the Respondent's Member Association (if applicable) are so notified by the ED. Notification to the Respondent is sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. WEF shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to file an appeal ("Appeal"), or to request an extension of time in which to file an Appeal, by submitting the WEF Member Code of Conduct Appeal Form. The ED will acknowledge receipt of the Respondent Appeal Form. Only the Respondent has the right to appeal the Board's decision. If an Appeal is not filed, or is not timely filed, the Board's decision is final, and WEF implements the Board's disciplinary actions against the Respondent.

If the Board, by a majority vote, decides not to take any disciplinary action, the Respondent, the Complainant, and the Respondent's Member Association (if applicable) are so notified in writing by the ED.

### ***Appeal Panel***

If the Respondent's appeal is timely filed, an appeal panel ("Appeal Panel") is appointed by the Board in consultation with the ESC. The Appeal Panel consists of three (3) former Trustees after first ensuring no Appeal Panel member has a conflict of interest in connection with the Complaint. All members of the Appeal Panel, upon selection, are required to sign a confidentiality and non-disclosure agreement. The Appeal Panel is provided with the WEF Member Code of Conduct Appeal Form and all available information related to the Complaint as received by the ESC and reviewed by the Board. The Appeal Panel will review all information provided and the Board's decision.

Through the ED, Respondent is notified in writing of the opportunity to submit any additional information, and to request to present their response directly to the Appeal Panel via a virtual/teleconference meeting. Notification to the Respondent is marked "Personal and Confidential – To Be Opened Only by the Addressee," and sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. WEF shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to submit any additional information or to request an audience with the Appeal Panel. Following review of information and the response from the Respondent, if any, and completion of any requested audience with the Respondent, the

Appeal Panel decides, by majority vote, to confirm the Board's decision, or to modify the Board's decision and impose a lesser (not greater) disciplinary action.

Through the ED, the Respondent, the Complainant, and the Respondent's Member Association (if applicable) are notified in writing of the Appeal Panel's decision, and WEF implements the Board's disciplinary actions, if any, against the Respondent. Notification to the Respondent is marked "Personal and Confidential – To Be Opened Only by the Addressee" and sent in a manner and that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts.

The decision of the Appeal Panel is final.

### **C. Disciplinary Actions**

Should it be determined that there was a violation of the Code, the ESC can recommend, and the Board can implement, disciplinary actions against the Respondent including, but not limited to, any individual or combination of the following disciplinary actions:

- a) Issue a Letter of Censure to Respondent. The Letter of Censure is a written reprimand that specifies the nature of Respondent's misconduct and informs the Respondent that further disciplinary action may be taken if misconduct is not corrected.
- b) Restrict or ban participation in WEF events and/or activities for a specified period. The period may be limited or unlimited in duration.
- c) Suspend or remove from WEF leadership positions, committees, or other workgroup/task forces/panels for a specified period. The period may be limited or unlimited in duration.
- d) Hold the Respondent personally liable for restitution if damage occurs due to the Respondent's action.
- e) Retract WEF awards, grants, or scholarships to the Respondent. The retraction of WEF awards, grants, or scholarships presented to Respondent will include termination of any funding commitments to the Respondent.
- f) Suspend Respondent's WEF membership for a specified period. Suspension may or may not include a requirement that the Respondent must apply to the ESC for reinstatement of membership after the suspension period is over. The requirement to apply for reinstatement will be based on the ESC's determination of the severity of Respondent's misconduct.
- g) Terminate WEF membership with no opportunity to reapply for membership.