

## 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; November 2023; October 2024
Requirements	Not required to comply with federal or state statutes
Review Cycle	5 Years
Legal Review Needed	Yes

### 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. 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.

Members are subject to discipline if the member’s conduct conflicts with the WEF Member Code of Conduct (“Code”). This policy (“Policy”) outlines WEF’s process for investigating and taking disciplinary action against a WEF member for violations of the Code and outlines the roles of the WEF Board Ethics Committee (“EC”) and the Board in WEF’s disciplinary processes.

#### ***Notice to Members:***

Throughout this Policy the term “Notice” is used in relation to communications to a WEF member who is named in a WEF Member Code of Conduct Complaint (“Respondent”). The term “Notice” means: (1) a written statement and copies of all relevant documents; (2) such statement is placed in a sealed envelope marked “Personal and Confidential – To Be Opened Only by the Addressee”; (3) addressed to Respondent at their home address (if WEF is provided with such information); (4) sent to the Respondent in a manner which provides proof of delivery and records of delivery attempts (such as by certified mail or similar signature-required postal or delivery services); and (5) for which WEF makes up to three (3) delivery attempts over a time period of approximately three weeks unless extenuating circumstances are preventing delivery.

If a Complaint is filed and the Respondent (1) does not provide their home address after it is requested by WEF (2) does not respond to any Notice sent to Respondent by WEF regarding the Complaint; and/or (3) does not otherwise engage in the disciplinary process in any way,

Respondent shall be deemed to have waived Respondent's right to participate in the disciplinary process including participation in the EC Determination Meeting, to receive Notice of the Board's determination, and to appeal the Board's decision. Prior to implementing such waiver of Respondent's rights, WEF shall provide Respondent with Notice including information and a timeline as to how Respondent may avoid such waiver.

## **B. Member Discipline Procedure**

Any person who was the subject of the conduct or was a firsthand witness to such conduct ("Complainant") may bring a complaint against any member ("Respondent") if they believe in good faith that the Respondent engaged in conduct which 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 or the ED's designee will acknowledge receipt of the Complaint to the Complainant. After consideration, and with discretion, the ED or the ED's designee may also alert the WEF member's MA affiliation(s), as appropriate and if applicable, of the existence of a complaint, on a confidential basis, after first ensuring the MA contact does not have a conflict of interest (primary or alternate if needed) in connection with the Complaint.

The ED or the ED's designee will consult WEF legal counsel as to whether the Complaint meets the spirit of, and/or administrative requirements for, a complaint under the WEF Code of Conduct and Member Discipline Policy (hereafter termed "procedural requirements") and will contact Complainant as needed to obtain any necessary information in order for the Complaint to meet procedural requirements.

### ***WEF Board Ethics Committee ("EC")***

The ED or ED's designee will notify the EC when a Complaint has been received and indicate whether procedural requirements have been met to alert to the beginning of a process to evaluate a Complaint. Once procedural requirements have been met, the ED or ED's designee, will share the Complaint with the EC on a confidential basis after first ensuring no EC member has a conflict of interest in connection with the Complaint. The EC will consider whether the Complaint is sufficient, and the alleged conduct is within the scope of the Code. If the Complainant is a firsthand witness (third-party) to a perceived violation of the Code that occurred, the individual who was reported to have been directly affected by the conduct will be asked, but is not required, to participate in any needed EC investigation along with the Complainant.

If the EC determines that the conduct alleged is outside of the scope of the Code, or that the Complaint is incomplete or insufficient, the EC 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 EC to be incomplete or

insufficient may be corrected and resubmitted by the Complainant.

If the EC determines that the Complaint is sufficient, and that the conduct falls within the scope of the Code, the EC, through the ED or the ED's designee, will provide Notice to the Respondent. The Respondent has 30 days from their receipt of the Notice, or if delivery is not accepted, from the final date of Notice delivery attempt, to submit a written response to the EC 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 or ED's designee will acknowledge receipt of the Respondent's response.

Upon the EC's receipt of the Respondent's response or, if none, 31 days or more after the delivery of the Notice or the final date of Notice delivery attempt, the EC will hold an EC Determination Meeting to review the Respondent's response (if any) and any additional information obtained. If the Respondent has not waived their rights as outlined earlier in this Policy, the Respondent will be invited to participate for up to a 30-minute portion of the EC Determination Meeting to present their viewpoint via a virtual/teleconference connection. The EC will then decide, by a majority vote, whether the Respondent violated the Code. If the EC determines that the Respondent did not violate the Code, the Complaint is dismissed, and the Chair of the EC shall issue a Notice to the Respondent regarding same. The Complainant and Respondent's MA(s) (if applicable) are notified in writing by the ED or the ED's designee. If the EC determines that the Respondent violated the Code, the EC decides by majority vote on the disciplinary action(s) against the Respondent to recommend to the Board.

### ***Board of Trustees ("Board")***

The EC's recommendation for disciplinary action is sent to the Board for review and concurrence in an Executive Session after first ensuring no Trustee has a conflict of interest in connection with the Complaint. All personal information will be redacted from documentation provided to the Board. The Board determines, by a majority vote, whether to accept the EC's recommendations or to send the matter back to the EC for further consideration based on Board discussion.

If the Board, by a majority vote, refers the action back to the EC for further consideration, the EC will meet to consider the information gathered from the Board discussion, and from any other additional information obtained. The EC will then decide, by a majority vote, based on the Board discussion, on one of the following: 1) keep its original disciplinary action(s) recommendation against the Respondent to the Board; 2) modify its original disciplinary action(s) recommendation against the Respondent to the Board or 3) dismiss the complaint. The EC's recommended action is sent to the Board for review and concurrence in an Executive Session.

If the Board, by a majority vote, concurs with the recommendation of the EC, the ED or the ED's designee sends Notice to the Respondent of the Board's determination, as long as the Respondent has not waived their rights as outlined earlier in this Policy. The Complainant and the Respondent's

Member Association(s) (if applicable) are notified by the ED or the ED's designee.

The Respondent has 30 days from their receipt of the Notice (if applicable), or if delivery is not accepted, from the final delivery attempt date, to file a request for an appeal ("Appeal"), or to request an extension of time in which to file a request for an Appeal, by submitting the WEF Member Code of Conduct Appeal Form. The ED or the ED's designee, will acknowledge receipt of the Respondent Appeal Form. Only a Respondent, that has not waived their rights as previously outlined in this Policy, has the right to request appeal of the Board's decision. If the request for Appeal is not timely filed or does not contain a justified basis for the appeal the Board's decision is final, and WEF implements the Board's disciplinary actions against the Respondent.

### ***Appeal Panel***

If the Respondent's request for appeal is timely filed and determined to be justified, an appeal panel ("Appeal Panel") is appointed by the Board President in consultation with the EC Chair. 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 and that the Appeal Panel is composed of WEF members in good standing. All members of the Appeal Panel, upon selection, are required to sign a confidentiality and non-disclosure agreement. The Appeal Panel will review the WEF Member Code of Conduct Appeal Form, and the information related to the Complaint and the discipline recommendation from the EC that was approved by the Board.

Through the ED or ED's designee, Notice is sent to the Respondent 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. The Respondent has 30 days from their receipt of the Notice (if applicable), 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 alternate disciplinary action.

Through the ED or ED's designee: 1) the Respondent is sent Notice of the Appeal Panel's decision; 2) the Complainant, and the Respondent's Member Association(s) (if applicable) are notified in writing of the Appeal Panel's decision; and 3) WEF implements any Board's disciplinary actions against the Respondent.

The decision of the Appeal Panel is final.

### **C. Disciplinary Actions**

Should it be determined that there was a violation of the Code, the EC 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 holding, or the eligibility to hold, WEF leadership positions, or roles in WEF communities/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 EC for reinstatement of membership after the suspension period is over. The requirement to apply for reinstatement will be based on the EC's determination of the severity of Respondent's misconduct.
- g) Terminate WEF membership with no opportunity to reapply for membership.

#### **D. Optional Disciplinary Action**

In the event a WEF member is alleged to have engaged in conduct which violates the Code, but no official Complaint is filed under this Policy, the process outlined above shall not apply. However, if there is good reason to believe the allegations to be true the EC may implement a lesser optional disciplinary action against such member as set forth below.

If a WEF member is alleged to have engaged in conduct which violates the Code, the WEF ED or their designee shall attempt to contact such member in order to receive their response to the allegation and any additional information relating to the conduct. If, after such contact is made, or attempted contacts do not invoke a response, and there is good reason to believe the allegations to be true, the WEF ED or their designee shall pass along all relevant information to the EC for review. The EC may implement any of the following optional disciplinary actions against such member including but not limited to: (1) prohibition on receipt of any WEF award, grants or scholarships, and their associated benefits, for a specified period; (2) prohibition on presenting at and/or attending any

WEF event for a specified period (3) other similar action dictated by behavior and member participation pattern; and/or (4) otherwise deem such individual to not be a member in good standing and thereby impose any limitations and restrictions related thereto. The member shall be sent Notice of any such action. Should such member wish to contest such action, the member shall so notify WEF, and the matter shall be submitted via a Complaint by the WEF ED or their designee through the EC and the member discipline process set forth in this Policy shall apply.

Notwithstanding the above, should WEF thereafter receive a Complaint from a Complainant other than WEF regarding the alleged conduct, the member discipline process set forth in this Policy shall apply and any action under the optional disciplinary actions noted in this provision shall cease advancement.