



## **Policy and Procedure for Filing Complaints of Ethical Violations, Bullying and Harassment**

### 1. Policy

It is the policy of SfRBM that its members maintain high professional and ethical standards. It is also important for our members to feel comfortable, safe and respected when attending SfRBM conferences or networking with other professionals in the redox research community. As such, SfRBM has adopted an **Anti-Bullying and Harassment Policy** that reads as follows:

- a. SfRBM encourages open and honest intellectual debate as part of a welcoming and inclusive atmosphere in all parts of our society, including professional and scientific exchange in our communications and at our conferences. To help maintain an open and respectful community of scientists, SfRBM does not tolerate inappropriate behavior, including bullying or harassment of any kind, including sexual harassment.
- b. SfRBM condemns inappropriate or suggestive acts or comments that demean another person by reason of his or her gender, gender identity, race, religion, ethnicity, age or disability, scientific viewpoint or that are unwelcome or offensive to other attendees.
- c. If you believe you have been subjected to or have otherwise experienced behavior that violates our Anti-Bullying and Harassment Policy, please act promptly to report the issue to SfRBM's President and Executive Director so that steps may be taken to address the situation immediately.
- d. SfRBM reviews allegations of any such behavior on a case-by-case basis through its Ethics Committee, and violations may result in membership revocation, conference expulsion or prohibition of future conference attendance by particular individuals.
- e. SfRBM will investigate complaints fairly and discreetly, with an emphasis on conducting a rapid inquiry, the results of which typically will be shared with both the individual reporting the issue and the individual(s) who has been accused of violating the Policy. Reports requesting anonymity will be respected, although SfRBM reserves the right to notify appropriate law enforcement should the allegations be serious enough to warrant such notice.

## 2. Background

- a. It is important to provide a timely response to concerns about alleged misconduct by SfRBM members voiced by other members or third parties, as well as provide oversight of member conduct. Individuals who are found in violation of Anti-Bullying and Harassment Policy receive sanctions for unethical conduct.
- b. SfRBM's Ethics Committee consists of 5 current society members, appointed by the SfRBM President for 2 year terms. All committee members are reappointed at the discretion of the current president. It is a committee that, in its review process and decision making, is independent of Council, but reports to the Council underneath the Finance & Administration Department.

## 3. Procedures

- a. At least annually, SfRBM will educate all members about the society's Anti-Bullying and Harassment Policy.
- b. SfRBM will use appropriate publications, its website, and other appropriate technology to communicate the society's expectations regarding compliance with the Anti-Bullying and Harassment Policy.
- c. In the event that a member or non-member has been subject to, or witnessed improper behavior, including harassment, victimization or bullying, the member or non-member should tell the person(s) responsible for the behavior in question that it is offensive and that it must cease if they are able. This should include an explanation of what about the behavior is found unacceptable, unwelcome or embarrassing. It is also acceptable to put a complaint in writing to the person(s) responsible for the behavior in question or, to ask another person to speak to the person(s) on your behalf, including a colleague, fellow student, PhD advisor or a SfRBM Council member. It is important to document all relevant details of the incident so it can be conveyed clearly.

This approach may be sufficient to address a situation where those involved were unaware of causing offense and positively impact future behavior. Should the process detailed here be unsuccessful or the outcome unsatisfactory, the person raising the allegation of ethical misconduct, bullying or harassment should pursue the formal complaint procedure outlined in 3d.

- d. In the event that a member or non-member has been subject to, or witnessed improper behavior, including harassment, victimization or bullying against an SfRBM member, a formal written complaint can be submitted detailing the allegation. The complaint should be directed to the SfRBM President and Executive Director who will inform the chair of SfRBM's Ethics Committee. The SfRBM's Ethics Committee chair will subsequently:

- i) Advise the complainant that any written or verbal statement of the alleged misconduct submitted to SfRBM, will be maintained in a confidential file at the SfRBM administrative office for a period of 5 years.
- ii) Advise the complainant that a copy of her/his written or verbal statement will be sent to the accused SfRBM member who will be given the opportunity to provide a written response that would also be placed in the confidential file at the SfRBM Administrative Office for a period of 5 years. Only the SfRBM President, the Executive Director, and the Ethics Committee will have access to this confidential file.
- iii) The SfRBM Ethics Committee will determine if sanctions are appropriate and will provide sanctioning recommendations to the SfRBM Council.

#### 4. Sanctions

Individuals who are found in violation of SfRBM's Anti-Bullying and Harassment Policy receive sanctions for unethical conduct.

#### 5. Purpose of Sanctions

- a. Sanctioning individuals for unethical conduct has four major goals:

- i) To penalize the person in violation

When an individual violates the Anti-Bullying and Harassment Policy there must be consequences associated with that misconduct. Depending on how egregious the misconduct is, the Ethics Committee has a range of sanctions that it can recommend that the SfRBM Council can impose, from less to more punitive depending on the violation and the totality of the facts.

- ii) To serve as a mechanism to educate and rehabilitate

It is important to provide feedback to individuals who violate the Anti-Bullying and Harassment Policy so that they understand and appreciate exactly how their past conduct was inappropriate, so that it will be less likely to occur again in the future. These measures serve a rehabilitation function.

- iii) To protect the public

The welfare of the consumer and the reputation and integrity of the profession must be protected.

- iv) To inform other SfRBM members that the Society enforces its ethical standards and alerts them that there are penalties for engaging in professional or ethical misconduct.

## 6. Public Notification

SfRBM requires the Ethics Committee to publish the types of behaviors that have received sanctions (though not the names of the individual sanctioned) in the SfRBM Dot and on the SfRBM Website to serve as a means of informing the membership of their ongoing ethical responsibilities and to alert them that there are penalties for engaging in professional misconduct.

## 7. Types of Sanctions the Ethics Committee Can Recommend for the SfRBM Council to Impose

The Ethics Committee has a range of sanctions it can recommend be imposed by the SfRBM Council when individuals are found in violation of one or more provisions of the Anti-Bullying and Harassment Policy; generally, the more egregious the misconduct, the harsher the sanction.

### a) Cease and Desist Letter

In addition to the sanctions identified below, the Ethics Committee can recommend that the Council also instructs an individual to cease and desist from any practice or conduct found to be in violation of the Anti-Bullying and Harassment Policy. The letter essentially advises the individual against continuing a particular course of conduct and may require specific affirmative actions designed to comply with the letter, including written confirmation of compliance. Failure to comply with a cease and desist letter is, in itself, a violation of the Anti-Bullying and Harassment Policy and may result in additional sanctions. The recommendation of issuance of a cease and desist letter requires a majority vote of the members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the Council members to approve this sanction. Votes of both the Ethics Committee and Council can take place electronically when appropriate.

### b) Reprimand

The sanction of Reprimand is confidential and imposed in cases where unethical conduct is of a minor nature. A Reprimand is disclosed only to the person found in violation and to the individual who originally filed the complaint (Complainant). Any further unauthorized disclosure of the sanction of Reprimand is, itself, a violation of the Anti-Bullying and Harassment Policy. The recommendation of sanction of Reprimand requires a majority vote of the members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the SfRBM Council members to approve this sanction. Votes of both the Ethics Committee and Council can take place electronically when appropriate.

### c) Censure

The sanction of Censure is essentially a public reprimand. The violation is published to the full membership in the SfRBM Dot and on the SfRBM Website in a manner that identifies the individual in violation, his or her city/state of residence, and the principles and rules of the Anti-Bullying and Harassment Policy violated. When a

sanction of Censure is imposed, notice of the ethics violation may also be sent to, among others, any state agency that provides a license to the individual and to any other professional organization the individual is a member of that enforces a Anti-Bullying and Harassment Policy or code of professional conduct. The recommendation of sanction of Censure requires a majority vote of the members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the SfRBM Council members to approve this sanction. Votes of both the Ethics Committee and Council can take place electronically when appropriate.

#### **d) Suspension**

The Ethics Committee can recommend that the Council impose the sanction of Suspension of SfRBM membership or conference attendance in lieu of Revocation. The recommendation of sanction of Suspension requires a majority vote of the members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the Council members to approve this sanction. The sanction is usually intended to be employed for short periods of time (e.g. 1 year of membership or not able to attend 1 conference). Votes of both the Ethics Committee and Council can take place electronically when appropriate.

#### **e) Revocation**

For cases of egregious misconduct, the Ethics Committee can recommend that the SfRBM Council revoke the individual's SfRBM membership or conference attendance for a period of years, up to life. The recommendation of sanction of Revocation requires a majority vote of the members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the Council members to approve this sanction. Votes of both the Ethics Committee and Council can take place electronically when appropriate. Notice of this sanction to the SfRBM membership and other entities is the same as with the sanction of Censure.

After the period of revocation has expired, in order for the individual to seek reinstatement of SfRBM membership and/or conference attendance, a petition must be made to the SfRBM Council and the SfRBM Council must approve reinstatement by a majority vote. In petitioning for reinstatement, the individual has the burden of demonstrating that conditions that led to the revocation have been rectified and that, upon reinstatement, the individual will abide by the Anti-Bullying and Harassment Policy. The individual must also satisfy all membership requirements that are in effect at the time of the SfRBM Council Reinstatement Order.

#### **f) Withholding**

The Ethics Committee can recommend that the SfRBM Council impose the sanction of Withholding of SfRBM membership in cases where an applicant for membership is found in violation of conduct. The SfRBM Council cannot revoke what the applicant does not yet have, but the Ethics Committee can recommend that the Council impose the sanction of Withholding of membership for a period of years up to life. The recommendation of sanction of Withholding requires a majority vote of the

members of the Ethics Committee to be forwarded to the SfRBM Council, and a majority vote of the SfRBM Council to approve this sanction. Votes of both the Ethics Committee and Council can take place electronically when appropriate.

## 8. Determination of Ethical Violation Appeal Procedures

SfRBM members who have received sanctions for violations of the Anti-Bullying and Harassment Policy have the right to appeal this decision to the SfRBM Council.

**Step One.** The first step is for the petitioner to request in writing to the SfRBM Council within 45 days of the SfRBM Council's official decision regarding sanctions. Petitioners should clearly state specific reasons why the SfRBM Council should reconsider its decision and provide additional documentation or materials to support their reasons. The SfRBM Council will review the petitioner's request and supporting documentation and materials when reconsidering its decision, and the SfRBM Council will notify the petitioner in writing of the SfRBM Council decision within 30 days of receiving the request. Please contact Kent Lindeman, SfRBM's Executive Director by email at [klindeman@hollandparlette.com](mailto:klindeman@hollandparlette.com) to formally submit an appeal.

**Step Two.** If, after receiving the SfRBM Council's decision regarding the request to reconsider sanction decisions, the petitioner believes she/he has extenuating circumstances, and/or believes she/he has been treated in an arbitrary or biased fashion, or without adherence to the SfRBM Council and/or Anti-Bullying and Harassment Policy policies and procedures, the petitioner may choose to file an appeal.

**Step Three.** The petitioner should submit the appeal in writing to the SfRBM's Vice President for Finance & Administration within 45 days of the SfRBM's decision regarding the petitioner's request to reconsider sanction decisions. The appeal must clearly state the reason(s) for the appeal and document details of the extenuating circumstance and/or ways in which the SfRBM Council and/or SfRBM Ethics Committee acted in an arbitrary or biased fashion or without adherence to stated policies and procedures. SfRBM's Vice President for Finance & Administration will initially rule as to whether the subject of the appeal constitutes an issue of bias/arbitrary actions or failure of the SfRBM Council and/or SfRBM Ethics Committee to follow its process and procedures.

**Step Four.** If a basis for an appeal is stated, the SfRBM's Vice President for Finance & Administration will convene an Ethics Appeals Committee within 30 days of the receipt of the petitioner's appeal. The membership of the Ethics Appeals Committee consists of three voting members: a chair and two additional members. SfRBM's Vice President for Finance & Administration appoints Ethics Appeals Committee members who are familiar with SfRBM's Anti-Bullying and Harassment Policy but do not currently serve on the SfRBM Council or the SfRBM Ethics Committee. The Ethics Appeals Committee will review the petitioner's initial request to the SfRBM Council to reconsider its decision along with the petitioner's appeal regarding extenuating circumstances or arbitrary/biased treatment by the SfRBM Council and/or SfRBM Ethics Committee.

The SfRBM Ethics Appeals Committee may gather additional information, including but not limited to, interviewing the petitioner or members of the SfRBM Council and/or SfRBM Ethics Committee. The Ethics Appeals Committee will not review the SfRBM's decision regarding the petitioner's sanctions. Rather, the Ethics Appeals Committee will review the manner in which the

SfRBM Council and/or SfRBM Ethics Committee adhered to its policies and procedures and the extent to which the SfRBM Council and/or SfRBM Ethics Committee may have made decisions in arbitrary or biased ways.

**Step Five.** Following appropriate review and deliberation, the Ethics Appeals Committee will communicate its decision in writing to the petitioner as well as the SfRBM President and SfRBM's Vice President for Finance & Administration within 15 days of the Ethics Appeals Committee's decision regarding the petitioners' appeal. Written copies of the Ethics Appeals Committee's decision will be placed in the petitioner's membership file. Ethics Appeals Committee decisions are final and binding.