

# **IEEE Ethics and Member Conduct Committee – Operations Manual**

THE INSTITUTE OF ELECTRICAL AND ELECTRONICS  
ENGINEERS, INC.

3 Park Avenue, 17<sup>th</sup> Floor

New York, N.Y. 10016-5997, U.S.A.

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# IEEE ETHICS AND MEMBER CONDUCT COMMITTEE OPERATIONS MANUAL

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## **SECTION 1 – INTRODUCTION**

### **1.1 Vision – Ethics and Member Conduct Committee**

A world in which engineers and scientists are respected for their exemplary ethical behavior, and the IEEE and its Ethics and Member Conduct Committee (EMCC) are recognized as a major driving force in this regard.

### **1.2 Mission – Ethics and Member Conduct Committee**

The Ethics and Member Conduct Committee advises the Board of Directors on ethics policy and concerns, fosters awareness on ethical issues, and promotes ethical behavior among individuals and organizations working within the IEEE fields of interests.

### **1.3 Scope**

IEEE Bylaw I-305.6

“The Ethics and Member Conduct Committee shall make recommendations for policies and/or educational programs to promote the ethical behavior of members, non-members, and staff, and shall consider instituting proceedings, as defined in IEEE Bylaws I-110 and I-111, related to matters of member and officer discipline and requests for support.

The Committee shall be responsible for determining or recommending sanctions, as defined in IEEE Bylaw I-110, and other disciplinary actions against members found to have been responsible for misconduct. For non-members found to have been responsible for misconduct while participating in an IEEE activity, the Committee shall be responsible for determining disciplinary actions.

Neither the Ethics and Member Conduct Committee nor any of its members shall solicit or otherwise invite complaints, nor shall they provide advice to individuals regarding complaints, except they may provide information on the IEEE process for reporting misconduct.”

The EMCC shall not be the arbiter of disputes between two or more parties. The EMCC's role is to address matters of member conduct and to review alleged misconduct of individual IEEE members, or non-members participating in an IEEE activity, to determine whether Cause exists. Cause, as defined in IEEE Bylaw I-110.2, means a “material violation of the IEEE Code of Ethics, or a material violation of the IEEE governing documents, IEEE Operations Manuals, and other internal and external rules and regulations that affect the membership and activities of IEEE, or other conduct that is seriously prejudicial to IEEE.”

### **1.4 Designated Responsibilities**

Within the Governing Documents, EMCC has several areas of responsibility.

#### **1.4.1 Bylaw I-110. Misconduct Complaints and Support**

As outlined in Bylaw I-110 and Policy 7.10, the EMCC has responsibility for receiving and acting on requests regarding Misconduct Complaints.

As outlined in Bylaw I-110 and Policy 7.11, the EMCC has responsibility for receiving and acting on requests regarding Ethical Support.

#### 1.4.2 Bylaw I-111. Removal or Suspension of Delegates, Directors, and Officers

As outlined in Bylaw I-111, the EMCC has responsibility for reviewing a complaint signed by at least three members of the Board of Directors against any Officer elected by the IEEE Assembly or the voting members.

#### 1.4.3 Audit Committee Referrals

Under Policy 9.9, Conflict of Interest, the EMCC may receive cases referred from the Audit Committee.

#### 1.4.4 Election Oversight Committee Referrals

Under Policy 13.3(G) paragraphs 1, 2, 3, the EMCC may receive cases referred from the Election Oversight Committee.

#### 1.4.5 Other Referrals

The EMCC may respond to other requests for assistance from other IEEE Organizational Units as appropriate.

#### 1.4.6 Oversight of Policies

The EMCC has oversight of Policy 9.26, Civility, and Policy 9.27, Discrimination and Harassment, with respect to IEEE members, and non-members participating in IEEE activities.

#### 1.5 Limits to Activities

IEEE Constitution, Article 1, Section 2, "The IEEE shall not engage in collective bargaining on such matters as salaries, wages, benefits, and working conditions, customarily dealt with by labor unions."

#### 1.6 Governance

The policies, procedures, and rules of operation by which the IEEE and the Ethics and Member Conduct Committee are governed are embodied in the following documents:

- IEEE Certificate of Incorporation (legally establishes the IEEE under New York State Not for Profit Law)
- IEEE Constitution (contains IEEE's fundamental objectives and organization and is approved by the voting members of IEEE)
- IEEE Bylaws (govern the implementation of Constitutional provisions in specific organizational structures and are approved by the IEEE Board of Directors)

- IEEE Policies (provide more detailed statements of IEEE-wide policies and objectives than are appropriate for inclusion in the Constitution and Bylaws and are approved by the IEEE Board of Directors)
- Operations Manuals (provide more detailed statements of the procedures used by the different Major Boards, Committees, and sub-committees).

### 1.7 Ethics and Member Conduct Committee Operations Manual

The IEEE Ethics and Member Conduct Committee Operations Manual describes the principal functions, activities, and administrative processes of the EMCC. It is intended to provide a guide for consistent application of practices and procedures by the EMCC members and IEEE staff.

Each new member will be provided with the link to the EMCC Operations Manual. It is expected that each member of the EMCC will read the EMCC Operations Manual and use it as a guide in the deliberations of the EMCC.

### 1.8 Approval of and Changes to the EMCC Operations Manual

Modifications to this document shall be recommended by the EMCC to the IEEE Board of Directors for their approval in accordance with IEEE Bylaw I-304.8.

## **SECTION 2 – MEMBERSHIP AND ADMINISTRATION**

### **2.1 Membership**

In accordance with IEEE Bylaw I-305.6, the IEEE Ethics and Member Conduct Committee (EMCC) shall consist of not more than ten (10) voting members that shall include the Chair, Vice Chair, and seven (7) members, all of whom shall be appointed by the Board of Directors, and the Chair of the EMCC Conduct Review Committee, who shall be appointed by the EMCC Chair.

Members of the IEEE Board of Directors may not simultaneously serve as members of the EMCC. Members of the EMCC may not serve simultaneously on the Conduct Review Committee (CRC), with the exception of the CRC Chair, as stated in IEEE Bylaw I-305.6. The EMCC membership should include IEEE members with experience in, and knowledge of, the major organizational units of IEEE.

The EMCC shall have at least one member who obtained his or her first collegiate degree within the last fifteen years at the time of appointment and who is at Graduate Student Member, Member grade or higher (Bylaw I-304.2(c)).

### **2.2 Terms**

The Chair serves a one-year term and may be reappointed for one additional term. Members serve one two-year staggered term and may be reappointed up to the term limit of two consecutive terms.

### **2.3 Vacancies**

In the absence or incapacity of the Chair, the Vice Chair shall assume the duties of the Chair.

If a Committee Member is unable to continue in a given year, IEEE Nominations and Appointments Committee will recommend an alternate approved by the Board of Directors if requested by the EMCC.

### **2.4 Responsibilities of Committee Members**

#### **2.4.1 Chair**

- Calls and presides over the EMCC meetings.
- Reviews and acknowledges member conduct complaints and ethical inquiries to the EMCC.
- Appoints subcommittees as needed.
- Prepares and works with the EMCC staff on finalizing meeting agendas.
- Reviews draft meeting minutes and actions items with the EMCC staff.
- Assists staff and committee members with any submissions to the IEEE Board of Directors.
- Prepares an annual report on activities of the EMCC, or as requested by the IEEE Board of Directors.



- Works with staff to adhere to the approved annual budget.
- Addresses other duties as assigned by the Board of Directors.

#### 2.4.2 Vice Chair

- Assists the EMCC Chair in carrying out EMCC business.
- Undertakes the responsibilities and activities expected of EMCC members.
- Acts on behalf of the Chair in the event of his/her temporary absence.

#### 2.4.3 Members

- Conduct investigations of member conduct complaints as needed and prepares reports on findings through the Conduct Review Committee.
- Review agenda material prior to each meeting.
- Attend EMCC meetings and teleconferences as called by the Chair (typically monthly) and subcommittee Chairs.
- Actively participate in discussions.
- Perform such duties as assigned by the Chair.

#### 2.4.4 Staff Secretary

- Assists the EMCC in administrative matters.
- Archives the EMCC meeting minutes, agendas, and case information.
- Maintains the EMCC webpage.
- Answers routine inquiries by and to the EMCC.
- Assists in developing of, and adherence to, the EMCC budget.

#### 2.4.5 Board Coordinator

The IEEE Board of Directors appoints one of its members as a Board Coordinator who may attend EMCC meetings as a non-voting ex-officio liaison and who shall serve as a direct line of communication between the EMCC and the IEEE Board of Directors.

### 2.5 Meetings

#### 2.5.1 Types of Meetings

- a. Teleconferences. The EMCC typically holds monthly teleconferences. Additional teleconferences may be held dependent upon caseload.
- b. In-person meetings. The EMCC may hold an in-person meeting if needed. The time and location shall be determined at the EMCC's discretion.

### 2.5.2 Parliamentary Procedure

Unless otherwise specified in the IEEE Bylaws, Policies or this Manual, Roberts Rules of Order (latest edition) shall be used to conduct business at the EMCC meetings.

### 2.5.3 Quorum

A majority of the voting members of the EMCC shall constitute a quorum.

### 2.5.4 Actions of the Committee

Unless otherwise specified in the IEEE governance documents, a vote of the majority of the voting members of the EMCC present at the time of the vote, provided there is a quorum, shall constitute an act of the EMCC.

## 2.6 Committee Communications

### 2.6.1 Confidentiality

Due to the sensitive nature of ethics complaints, all committee correspondence, discussions, and deliberations shall be kept confidential.

### 2.6.2 Electronic

It shall be incumbent on the Chair to determine any guidance that may be necessary in order to proceed with each case. The EMCC business shall be conducted electronically whenever possible, keeping in mind the strict confidentiality of some of the EMCC's material.

### 2.6.3 Email

The EMCC has two email addresses; one is for the exclusive use of the EMCC and the other for IEEE members and the public. The EMCC members shall be cognizant of the "IEEE Electronic Mail Policies" and "IEEE Computer Policy".

- a. EMCC Email Alias. The EMCC uses a committee email address for communications and discussion purposes. The alias list is sent to everyone on the committee roster, including the IEEE Board coordinator and the EMCC staff support. The alias is not publicized.
- b. Public Email Alias (ethics@ieee.org). The public email alias has been established to allow IEEE members and non-members to contact the committee. Messages to this alias are sent to the EMCC's Staff Secretary who responds to routine requests for information. Correspondence through this alias is shared with the EMCC for additional response if necessary.

### 2.6.4 Minutes

Meeting minutes and action items are prepared after the EMCC meeting or teleconference and normally approved at the following meeting.

#### 2.6.5 Website

The EMCC website shall be maintained to provide information on the EMCC, IEEE Code of Ethics, related IEEE Bylaws and Policies, archives of Ethics articles in “The Institute” and other ethics resources. EMCC staff shall maintain the site under the direction of the EMCC. The EMCC website will include a list of the ethics activities across the IEEE, and EMCC will annually review the accuracy and currency of that list by soliciting comments from the respective sources of information. The URL is [www.ieee.org/ethics](http://www.ieee.org/ethics).

#### 2.6.6 EMCC Materials

The EMCC shall maintain and provide electronic copies of the IEEE Code of Ethics, in a format suitable for public and private display, to IEEE members and the public upon request.

#### 2.6.7 EMCC Communications to IEEE Members

- a. Once each calendar year an e-notice shall be distributed digitally to the IEEE membership, which will include IEEE hyperlinks to the relevant IEEE and EMCC documents (such as the IEEE Code of Ethics and the EMCC Operations Manual).
- b. The EMCC Chair, or an EMCC member assigned by the Chair, is encouraged to participate in a meeting of each Region/Division and to give an EMCC presentation should the Region/Division Director consider it appropriate.

### 2.7 Financial Matters

#### 2.7.1 Budget

The EMCC Chair and staff shall work within the normal IEEE Budget Development Process to develop a budget for the ensuing year. Details of the IEEE budget process are located in Section 2 of the IEEE Finance Operations Manual.

The EMCC budget covers the following:

- Volunteer and staff travel
- Meeting expenses (meeting room fees, etc.)
- Student Ethics Competitions
- IEEE Award for Distinguished Ethical Practices (award and travel expenses per IEEE Policy 11.6)
- Production of educational materials
- Special projects
- Other reasonable expenses (e.g., overnight mail)

### 2.7.2 Expense Reporting/Travel Reimbursement

The EMCC members shall familiarize themselves with the guidelines and procedures contained in the current IEEE Finance Operations Manual for reimbursement of authorized travel expenses.

## **SECTION 3 – AWARDS**

### **3.1 IEEE Award for Distinguished Ethical Practices**

#### **3.1.1 Description of the Award**

The IEEE Award for Distinguished Ethical Practices is presented for (a) exemplary ethical behavior/practices and/or (b) persuasive advocacy or promotion of ethical behavior/practices.

The award consists of a plaque. Reasonable travel costs for the awardee to attend the award ceremony are also provided.

#### **3.1.2 Justification**

There exists a need in IEEE to recognize an IEEE member or an organization employing IEEE members for (a) exemplary ethical behavior/practices and/or (b) persuasive advocacy or promotion of ethical behavior/practices.

#### **3.1.3 Basis for Judging and Selection**

Nominations for the award are required and shall include evidence of (a) exemplary ethical behavior/practices or (b) persuasive advocacy of ethical behavior/practices reflecting the relationships of that behavior or those practices to the IEEE Code of Ethics.

#### **3.1.4 Eligibility**

A member of the IEEE, a group of IEEE members, or an organization that employs IEEE members, can be nominated for the award. There are no restrictions as to IEEE membership grades.

Eligibility limitations adhere to IEEE Policy 4.4.H.

“Individuals serving on any board or committee involved at any stage of the recipient selection or approval process for an award shall be ineligible to receive, or act as a nominator or reference for that award. This conflict-of-interest limitation shall apply to all awards given by the IEEE or any of its organizational units”.

#### **3.1.5 Frequency**

This award is presented annually, unless EMCC determines that a suitable candidate is not available for a specific year.

#### **3.1.6 Award Citation**

The person originating the nomination may propose the award citation. EMCC will review and modify the citation as appropriate.

#### **3.1.7 Presentation**

The award shall be presented at a meeting hosted by the IEEE Board of Directors, preferably the annual IEEE Honors Ceremony or another event mutually agreed upon by the awardee and EMCC.

### 3.1.8 Funding and Budget

The award will be funded through the EMCC budget, including the cost of the certificate and reasonable travel costs for the awardee.

### 3.1.9 Nominations

Nominations of candidates for this award shall be made on nomination forms available from the IEEE Staff person for EMCC and on the EMCC website ([www.ieee.org/ethics](http://www.ieee.org/ethics)).

Nominations should be solicited by suitable notices placed in IEEE publications, such as "IEEE Spectrum," "The Institute," and newsletters of the Regions, Sections, and Societies.

Any person (member or non-member) may nominate or support a candidate for this award. Self-nominations are not allowed.

### 3.1.10 Selection Subcommittee

The EMCC chair will appoint a Selection Subcommittee when there is at least one nomination for the IEEE Award for Distinguished Practices to be reviewed.

The Selection Subcommittee shall screen the nominations and make a recommendation to the EMCC for its approval. The EMCC shall make a recommendation to the IEEE Board of Directors for its approval.

The subcommittee shall only consider nominees who meet the eligibility and selection criteria described in IEEE Policy 4.4.H and Sections 3.1.3 and 3.1.4.

### 3.1.11 Schedule

The deadline for nominations is July 1<sup>st</sup>. The presentation of the award shall be made the following year.

### 3.1.12 Publicity

Publicity for the IEEE Award for Distinguished Ethical Practices should include a call for nominations, an announcement of award recipient(s), and an announcement of the presentation of the award.

## **SECTION 4 – ETHICS EDUCATION**

### **4.1 IEEE Student Ethics Competition**

#### **4.1.1 Overview**

The IEEE Student Ethics competition is sponsored by EMCC. It was developed for use at IEEE Student events to encourage the study and awareness of professional ethics by IEEE Student and Graduate Student Members. The competition includes a presentation and defense of a case analysis by teams of students. Specific objectives of the competition program are:

- a. To foster familiarity with the IEEE Code of Ethics and ethical concepts,
- b. To promote a model for discussing and analyzing ethical questions, and
- c. To provide experience in applying ethical concepts to typical professional situations.

#### **4.1.2 Funding**

The EMCC will provide funding for up to 10 events involving Student Branches/Chapters each year as part of its budget.

Approved events shall be funded per a schedule developed by EMCC. All funding shall be used for Student Branch/Chapter activities and shall follow the process described in the IEEE Finance Operations Manual.

The funding request form shall be available through the EMCC website ([www.ieee.org/ethics](http://www.ieee.org/ethics)) and submitted to the EMCC. The funding will be used for awards to be given to the winning Student Branches/Chapters.

#### **4.1.3 Participant Eligibility**

Participants must be IEEE Student or Graduate Student Members in good standing and must satisfy all applicable conditions for participation.

#### **4.1.4 Guidelines**

The EMCC shall maintain a list of competition guidelines which will be available through the EMCC website ([www.ieee.org/ethics](http://www.ieee.org/ethics)).

#### **4.1.5 Competition Approval**

The EMCC shall appoint one of its members to serve as the Student Ethics Competition Coordinator. The Student Ethics Competition Coordinator shall be responsible for review and approval of prospective Student Ethics Competitions, in consultation with the EMCC Chair.

## **SECTION 5 – CONDUCT REVIEW COMMITTEE**

### **5.1 Conduct Review Committee (CRC)**

#### **5.1.1 Scope**

The Conduct Review Committee (CRC) is a committee of the EMCC and shall review complaints alleging misconduct by a member, or a non-member participating in an IEEE activity.

#### **5.1.2 Composition**

The voting members of the CRC shall consist of not more than fifteen (15) members, including the Chair and Vice Chair, and shall not be members of the Board of Directors.

The Chair of the CRC shall be a member of the EMCC and shall not have a vote on CRC decisions made by the EMCC. Members of the CRC shall be appointed by the EMCC Chair from a slate recommended by the IEEE Nominations and Appointments Committee.

#### **5.1.3 Terms**

Members shall serve three-year terms and may serve up to two consecutive terms. The Chair shall serve a one-year term with reappointment permissible for one additional term.

#### **5.1.4 Qualifications**

The CRC's ability to create an open environment where individuals feel comfortable with diverse perspectives is critical to the success of this program. CRC candidates should represent the diversity of the IEEE community.

Members of EMCC may not serve simultaneously on the Conduct Review Committee (CRC), with the exception of the CRC Chair, as stated in IEEE Bylaw I-305.6.

All CRC members shall be IEEE members of Senior or Fellow Grade. Additional qualifications to serve as a CRC member may include, but are not limited to, past volunteer leadership positions in IEEE, experience in dispute resolution, human resources, or member conduct processes within IEEE.

CRC members must be prepared to serve on short-notice and be willing to meet established deadlines for timely resolution of complaints.

The CRC Chair should have experience on the CRC.

The position description for the CRC members can be found in the Conduct Review Committee Operations Manual.

#### **5.1.5 Vacancies**

Should a vacancy occur in the office of the CRC Chair due to incapacitation or other reasons, the Vice Chair shall fill the vacancy. The IEEE N&A process will be used to fill the role of Chair at the end of that year with confirmation by the EMCC Chair.



If a Committee Member is unable to continue in a given year, IEEE N&A will recommend an alternate if requested by the CRC.

#### 5.1.6 Functions

A Review Panel shall be formed by the CRC Chair for each complaint received by CRC within seven (7) days from the receipt of the complaint. The Review Panel shall conduct a review of the complaint as defined in IEEE Bylaws I-110 and IEEE Policies 7.10.

Each Review Panel shall consist of three (3) CRC members and one (1) alternate CRC member, who shall serve if necessary. The CRC, led by the CRC Chair, shall have oversight of each Review Panel to ensure consistency of and compliance with the review process.

All CRC members shall be trained in IEEE's policies, applicable laws, and conduct review procedures.

#### 5.1.7 Reports

The CRC shall produce a year-end report for inclusion in the EMCC year-end report.

#### 5.1.8 Conduct Review Committee Operations Manual

##### 5.1.8.1 Introduction

###### 5.1.8.1.1 Formation

The Conduct Review Committee (CRC) was established by the IEEE Board of Directors on 29 June 2020 as a Committee of the Ethics and Member Conduct Committee (EMCC) and is responsible to the Board through IEEE Policy 7.10.

###### 5.1.8.1.2 Purpose

The Conduct Review Committee (CRC) shall review complaints alleging misconduct by a member, or a non-member participating in an IEEE activity.

The Conduct Review Committee shall consider only complaints submitted through the IEEE Ethics Reporting Line, <http://www.ieee-ethics-reporting.org/>, which is publicly available on IEEE's website.

The CRC's ability to respond to complaints in a timely manner, represent the diversity of the IEEE community, and operate in an open environment where individuals feel comfortable with diverse perspectives, is critical to the success of this Committee.

The contents of complaints, the identity of the persons involved, and the scope of any related inquiries shall remain confidential, except as required by law or if such disclosure is required for the equitable and expeditious review of the complaint in accordance with the procedures set forth in IEEE Policy 7.10.

###### 5.1.8.1.3 Governance

The policies, procedures, and rules of operation by which IEEE, the Ethics and Member Conduct Committee, and the Conduct Review Committee are governed are embodied in the following documents:

- IEEE Certificate of Incorporation (legally establishes the IEEE under New York State Not for Profit Law)
- IEEE Constitution (contains IEEE's fundamental objectives and organization and is approved by the voting members of IEEE)
- IEEE Bylaws (govern the implementation of Constitutional provisions in specific organizational structures and are approved by the IEEE Board of Directors)
- IEEE Policies (provide more detailed statements of IEEE-wide policies and objectives than are appropriate for inclusion in the Constitution and Bylaws and are approved by the IEEE Board of Directors).

#### 5.1.8.1.4 Operations Manual Revisions

Revisions to this manual shall be approved by the EMCC and submitted to the IEEE Board of Directors for approval.

#### 5.1.8.2 General

##### 5.1.8.2.1 Conduct Review Committee and Panels

The CRC, led by the CRC Chair, shall have oversight of each Review Panel to ensure consistency of and compliance with the review process.

The full CRC shall meet at least once a quarter to have the Review Panels provide the status and disposition of the cases.

Members of the CRC or the Review Panels may participate in a meeting of such committee or panels by using conference telephone, electronic conferencing, electronic video screen, or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participation by such means shall constitute presence of the person in the meeting.

All meetings of the CRC and the Review Panels will be held in executive session.

For each complaint received, a Review Panel shall be formed by the CRC Chair from the pool of CRC members.

Each Review Panel shall consist of three (3) CRC members and one (1) alternate CRC member, who shall serve if necessary. The Chair of each Review Panel shall be chosen by its members.

CRC members shall recuse themselves, or be recused by the CRC Chair, from service on a Review Panel if there is a conflict of interest or a lack of impartiality.

The number and nature of complaints will be highly variable and are received on a rolling basis. Individuals serving in this role will need the time and flexibility to assess complaints against strict timelines.

#### 5.1.8.2.2 Training

All CRC members shall be trained in IEEE's policies, applicable laws, and conduct review case management procedures by the IEEE Legal and Compliance department staff. Additional training on the processes associated with the operation of the Committee and the safekeeping of information generated by the Committee will be delivered by Corporate Governance staff.

#### 5.1.8.2.3 Annual Reporting of Outcomes

The CRC will produce an annual report of all Conduct Review Panel activity and outcomes to be presented to the EMCC for inclusion in its year-end report to the IEEE Board of Directors. The CRC report should include, among other elements, the following actual results against the defined metrics within IEEE Policy 7.10:

- number of cases received
- number of cases amicably resolved
- number of appeals filed
- number of days for Legal review from date of complaint
- number of days from receipt of complaint by CRC to formation of a Review Panel
- number of days for Review Panel to initially review the case
- number of days for Review Panel to perform a formal review
- number of days for Review panel to provide a final recommendation
- number of days for the CRC to review the final recommendation and provide its recommendation to the parties
- number of days for the EMCC to review appeals

#### 5.1.8.3 Misconduct Complaint Process

[See Appendix I for an outline of the process and its timing]

Throughout this Operations Manual, the term "in writing" shall be interpreted to include any form of electronic communication.

Within ten (10) business days after the receipt of the complaint, it shall be reviewed by the IEEE Legal and Compliance Department for appropriate assignment within IEEE.

Employee related disputes, standards development disputes, disputes related to conferences, society-society disputes, scholarly publication misconduct, and inappropriate financial activities, may be directed for review and action to the Organizational Unit within IEEE charged with overseeing the issue(s) related to the misconduct or dispute.

All other complaints made with respect to misconduct shall be reviewed by the IEEE Ethics and Member Conduct Committee (EMCC) through its Conduct Review Committee (CRC). IEEE Staff (as non-members) are encouraged to report their complaints to the IEEE Human Resources department. Should an IEEE Staff member choose to use the Misconduct Complaint process, an IEEE Human Resource staff member will assist the IEEE staff complainant throughout the process.

The complaint will be forwarded to the CRC Chair and the Corporate Governance Staff member for assignment and review by the Review Panel.

The Conduct Review Committee shall form a Review Panel within seven (7) business days of receipt of the complaint from IEEE Legal and Compliance. The Review Panel shall be provided with the case information and shall review and follow the procedures outlined in IEEE Policy 7.10.

During the review period, the Review Panel may, at its discretion:

- a. Interview or obtain written information from members, volunteers, IEEE staff, and others mentioned in the complaint;
- b. Identify additional witnesses or documents related to the allegations in the complaint; and/or
- c. With the support of IEEE Legal and Compliance, notify or contact third parties as may be appropriate due to the nature and contents of the complaint.

To the extent possible, all relevant information (including, but not limited to, memorializing interviews) obtained by the Review Panel shall be reduced to writing and included in the complaint file.

The Review Panel shall be assisted by the CRC Chair in all respects. The Chair and the Review Panel can consult with IEEE staff or outside advisors identified by the IEEE staff, as applicable.

#### 5.1.8.4 Determination of Conduct Review Panel

All applicable parties shall be notified in writing by the CRC Chair. Thereafter, in accordance with IEEE Policy 7.10, Section G.2, if sufficient evidence of misconduct was found, the Review Panel shall provide a written recommendation to the CRC for member or non-member disciplinary action or for potential member sanctions (as defined in IEEE Bylaw I-110).

The Review Panel shall conduct a review of the complaint within fifteen (15) business days of its receipt of the complaint to determine if there is sufficient evidence of misconduct as defined in IEEE Bylaw I-110.

Notifications of the Review Panel determinations shall be provided as outlined in Policy 7.10 and, unless stated or required otherwise, can be sent via letter, email or through the ethics-reporting-line, in accordance with IEEE Policy 7.10, Section E.5.

If sufficient evidence of misconduct was not found, the case shall be considered unsubstantiated and closed. The complainant will be notified via an update to the case in the Ethics Reporting Line, <http://www.ieee-ethics-reporting.org/>.

In accordance with IEEE Policy 7.10, Section E.6 and E.7, if sufficient evidence of misconduct was found and if the Review Panel and the parties were able to amicably resolve the complaint, the case shall be updated in the ethics reporting line system, <http://www.ieee-ethics-reporting.org/> with the final outcome and closed.

In accordance with IEEE Policy 7.10, Section E.8, if sufficient evidence of misconduct was found and the parties were not able nor inclined to amicably resolve the complaint, the complaint will move forward for further review.

The Review Panel shall have thirty (30) business days following its determination of sufficient evidence of misconduct to complete its further review of the complaint. The contents of the complaint shall be provided to the subject of the complaint by the Review Panel (IEEE Policy 7.10, Section F.1).

If the complainant is requested to provide further information, the written request will be sent by the CRC Chair and the Review Panel (IEEE Policy 7.10, Section F.3.c).

The Review Panel shall provide its final recommendation regarding misconduct to the CRC within ten (10) business days of completing its review, in writing (IEEE Policy 7.10, Sections G.3).

The Review Panel recommendation shall be reviewed by the CRC Chair, the EMCC Chair, and IEEE Legal and Compliance (IEEE Policy 7.10, Section G.4).

#### 5.1.8.5 Disciplinary Actions

If misconduct was found and in accordance with IEEE Policy 7.10, Section G.2, the Review Panel shall provide a recommendation for member or non-member disciplinary action (as defined in the *CRC Operations Manual*) or for potential member sanctions (as defined in IEEE Bylaw I-110). The sanctions and disciplinary actions available for member misconduct are as follows:

Member sanctions are defined in IEEE Bylaw I-110:

- Censure
- Revocation
- Suspension
- Expulsion

The term of these sanctions would be determined by a hearing board and approved by the IEEE Board of Directors, per IEEE Policy 7.10, Section O.4.

Member or Non-Member Disciplinary Actions which are recommended by the Review Panel shall be reviewed by the CRC Chair, the EMCC Chair, and IEEE Legal and Compliance for clarity, consistency, and compliance with the procedures for the review of complaints.

Potential disciplinary actions are as follows:

- Warning letter
- Removal or barring from one or more leadership positions for a specified time period or permanently
- Removal or barring from a volunteer position for a specified time period or permanently
- Restriction or denial of access to IEEE resources (e.g., funds) for a specified time period or permanently
- Denial of access to IEEE meetings, conferences, and events for a specified time period or permanently
- Ban on featuring member in IEEE media or as Conference/Workshop keynote speaker for a specified time period or permanently

#### 5.1.8.6 Notification of Disciplinary Action and Appeals

Within ten (10) business days of receiving the Review Panel recommendation, the CRC shall notify the parties of the complaint of the decision of the CRC and any disciplinary action to be taken against the subject of the complaint.

This shall be done in writing by the CRC Chair (IEEE Policy 7.10, Section H.1).

If there is no appeal of the CRC decision, then in accordance with IEEE Policy 7.10, Section H.2, the complaint shall be considered resolved and the case file updated with the final decision in the ethics reporting line system, <http://www.ieee-ethics-reporting.org/>.

The parties of the complaint shall be notified of the final disposition of the case, in writing by the CRC Chair. (IEEE Policy 7.10, Section H.2).

If the CRC decision is to pursue potential sanctions, the CRC decision shall be forwarded to the EMCC, in writing, by the CRC Chair (IEEE Policy 7.10, Section H.2.a).

If either or both of the parties to the complaint appeal the CRC decision of disciplinary action or potential sanctions, any appeal(s) must be sent, in writing, to the EMCC Chair within fifteen (15) business days (IEEE Policy 7.10, Section H.2.b).

The EMCC shall have fifteen (15) business days to review any appeal(s) and CRC decision(s) to pursue potential sanctions. The EMCC can adopt, amend, or reject the appeal(s) or potential sanctions decision(s) (IEEE Policy 7.10, Section H.2.c).

If EMCC's review of the CRC decision results in its recommendation for potential sanctions then, within ten (10) business days, the EMCC Chair shall notify the parties to the complaint, in writing, of the decision to request the formation of a hearing board to determine potential sanctions (IEEE Policy 7.10, Section I).

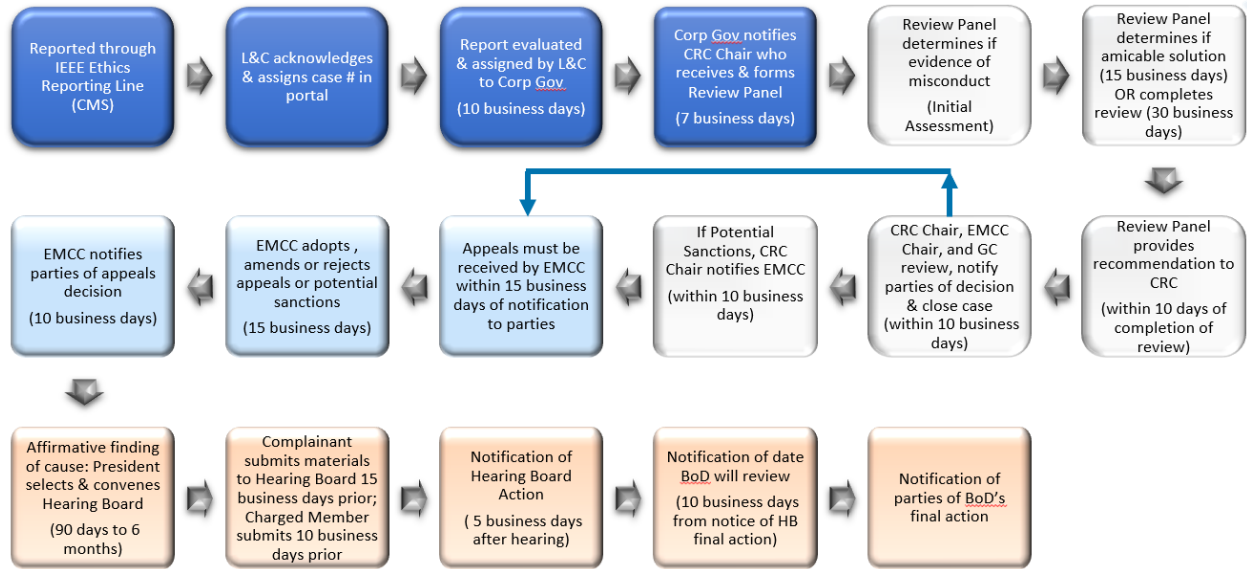
If the recommendation is to not pursue potential sanctions, the complaint shall be considered resolved, the case file updated with the final decision in the ethics-reporting-line system, and the parties of the complaint shall be notified of the final disposition of the case, in writing by the EMCC Chair (IEEE Policy 7.10, Section H.2.d).

#### 5.1.8.7 Decision Implementation

Once the final decision is made by the CRC, the EMCC, or ratified by the IEEE Board of Directors, as applicable, Corporate Governance staff shall coordinate with the relevant volunteers and IEEE staff to implement the decision.

APPENDIX I

## Process Flow



CRC – Conduct Review Committee (Committee of EMCC)

EMCC – Ethics & Member Conduct Committee

L&C – Legal & Compliance



**IEEE**  
**Code of Ethics**

We, the members of the IEEE, in recognition of the importance of our technologies in affecting the quality of life throughout the world, and in accepting a personal obligation to our profession, its members and the communities we serve, do hereby commit ourselves to the highest ethical and professional conduct and agree:

**I. To uphold the highest standards of integrity, responsible behavior, and ethical conduct in professional activities.**

1. to hold paramount the safety, health, and welfare of the public, to strive to comply with ethical design and sustainable development practices, to protect the privacy of others, and to disclose promptly factors that might endanger the public or the environment;
2. to improve the understanding by individuals and society of the capabilities and societal implications of conventional and emerging technologies, including intelligent systems;
3. to avoid real or perceived conflicts of interest whenever possible, and to disclose them to affected parties when they do exist;
4. to avoid unlawful conduct in professional activities, and to reject bribery in all its forms;
5. to seek, accept, and offer honest criticism of technical work, to acknowledge and correct errors, to be honest and realistic in stating claims or estimates based on available data, and to credit properly the contributions of others;
6. to maintain and improve our technical competence and to undertake technological tasks for others only if qualified by training or experience, or after full disclosure of pertinent limitations;

**II. To treat all persons fairly and with respect, to not engage in harassment or discrimination, and to avoid injuring others.**

7. to treat all persons fairly and with respect, and to not engage in discrimination based on characteristics such as race, religion, gender, disability, age, national origin, sexual orientation, gender identity, or gender expression;
8. to not engage in harassment of any kind, including sexual harassment or bullying behavior;
9. to avoid injuring others, their property, reputation, or employment by false or malicious actions, rumors or any other verbal or physical abuses;

**III. To strive to ensure this code is upheld by colleagues and co-workers.**

10. to support colleagues and co-workers in following this code of ethics, to strive to ensure the code is upheld, and to not retaliate against individuals reporting a violation.

*Adopted by the IEEE Board of Directors and incorporating revisions through June 2020.*