



New England Water Environment Association NEWEA Member Association (MA) Only Discipline Policy

A. General Policy Statement

Membership in the New England Water Environment Association (NEWEA) is a privilege and not a right. NEWEA is committed to providing a professional, safe, and welcoming environment for all members.

Members of NEWEA who are also members of WEF are subject to the [WEF Member Code of Conduct \(“WEF Code”\)](#) and are subject to the [WEF Member Discipline Policy](#) for violations of the “WEF Code”. Detailed information is included in the WEF Member Code of Conduct, WEF Member Discipline Policy, and related forms located at <https://www.wef.org/about/about-wef/wef-policies/>.

Members of NEWEA, who are not members of WEF, are subject to discipline under this policy if the member’s conduct conflicts with the NEWEA Member Code of Conduct (“MA Code”), if one exists, or as is outlined in the MA’s governing documents. Violations which have not been addressed through WEF’s Code and/or disciplinary actions may be subject to discipline under this MA policy. This MA Discipline Policy solely governs disciplinary proceedings applicable to MA-only members who are not also members of WEF.

This policy outlines NEWEA’s process for investigating and taking disciplinary action against a NEWEA member for violations of the MA Code. The Executive Committee is the governing body of NEWEA and holds legal and fiduciary authority on behalf of NEWEA and its membership including the authority to discipline members, up to and including expulsion from NEWEA.

B. Member Discipline Procedure

If the individual exhibiting perceived conduct violations is a WEF member, please refer to the [WEF’s Member Code of Conduct \(“Code”\)](#) and [WEF’s Member Discipline Policy](#) for guidance on submitting a Complaint to WEF and the steps that will be undertaken by WEF in an investigation. The procedures in the following paragraphs and sections outline NEWEA’s process for investigating and taking disciplinary action against a NEWEA member for violations of the NEWEA Member Code of

Conduct (“MA Code”) when this MA member is a MA-only member and is not a member of WEF.

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

NEWEA Ethics Committee

The NEWEA Ethics Committee will be convened on an as needed and ad-hoc basis to address a complaint that is submitted to the Executive Director. The members of the Ethics Committee will be appointed by the NEWEA Executive Committee via a special meeting with select committee chairs. The Ethics Committee will be chaired by the Meeting Management Council Director and shall include a representative from the Bylaws Committee, Membership Committee, Program Committee, Assessment and Development Committee, Diversity, Equity, and Inclusion Committee, and a State Director who will serve as Vice Chair. The Executive Director will share the Complaint with the Ethics Committee on a confidential basis after first ensuring no Ethics Committee member has a conflict of interest in connection with the Complaint. The Ethics Committee will consider whether the Complaint is sufficient, and the alleged conduct is within the scope of the MA Code. The Ethics Committee may also provide a copy of the Complaint to NEWEA legal counsel for review. If the Complainant is a witness (third-party) to a violation of the MA Code that occurred, the individual who was directly affected will be asked, but is not required, to participate in any needed Ethics Committee investigation along with the Complainant.

If the Ethics Committee determines that the conduct alleged is outside of the scope of the MA Code, or that the Complaint is incomplete or insufficient, the Ethics Committee 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 Ethics Committee to be incomplete or insufficient may be corrected and resubmitted by the Complainant.

If the Ethics Committee determines that the Complaint is sufficient, and that the conduct falls within the scope of the MA Code, the Ethics Committee, through the Executive Director, 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 MA 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. NEWEA 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 Ethics Committee on the Complaint or to request an extension of time in which to respond; the response should be sent to the Executive Director by email to mail@newea.org or by regular mail. The Executive Director will acknowledge receipt of the Respondent's response.

Upon the Ethics Committee'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 Ethics Committee 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 Ethics Committee will then decide, by a majority vote, whether the Respondent violated the MA Code. If the EC determines that the Respondent did not violate the MA Code, the Complaint is dismissed, and the Respondent, WEF (if applicable), and the Complainant are notified in writing. If the Ethics Committee determines that the Respondent violated the MA Code, the Ethics Committee decides by majority vote on the disciplinary action(s) against the Respondent to recommend to the Executive Committee.

Executive Committee

The Ethics Committee's recommendation for disciplinary action is sent to the Executive Committee for review in an electronic mail to all Executive Committee members after first ensuring no Executive Committee member has a conflict of interest in connection with the Complaint. The Executive Committee determines, by a majority vote, whether to accept the EC's recommendations; to modify the Ethics Committee's recommendations; or to send the matter back to the Ethics Committee for further consideration of any discussion and/or new information.

If the Executive Committee, by a majority vote, decides to take disciplinary action(s) against the Respondent, the Respondent, the Complainant, and WEF (if applicable) are so notified by the Executive Director. 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. NEWEA 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 MA's Member Code of Conduct Appeal Form. The Executive Director will acknowledge receipt of the Respondent Appeal Form. Only the Respondent has the right to appeal the Executive Committee's decision. If an Appeal is not filed, or is not timely filed, the Executive Committee decision is final, and NEWEA implements the disciplinary actions against the Respondent.

If the Executive Committee, by a majority vote, decides not to take any disciplinary action, the Respondent, the Complainant, and WEF (if applicable) are so notified in writing by the Executive Director.

Appeal Panel

If the Respondent's appeal is timely filed, an appeal panel ("Appeal Panel") is appointed by the Executive Committee in consultation with the Ethics Committee. The Appeal Panel shall consist of two members of the Executive Committee, two committee chairs, two past presidents, with the Vice President (or a similar officer) chairing the panel. 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 NEWEA Member Code of Conduct Appeal Form and all available information related to the Complaint as received by the Ethics Committee and reviewed by the Executive Committee. The Appeal Panel will review all information provided and the Executive Committee's decision.

Through the Executive Director, 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. NEWEA 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 Executive Committee's decision, or to modify the Executive Committee's decision and impose a lesser (not greater) disciplinary action.

Through the Executive Director, the Respondent, the Complainant, and the WEF (if applicable) are notified in writing of the Appeal Panel's decision, and NEWEA implements the Executive Committee'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 MA Code, the Ethics Committee can recommend, and the Executive Committee 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 MA events and/or activities for a specified period. The period may be limited or unlimited in duration.
- c) Suspend or remove from MA 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 MA awards, grants, or scholarships to the Respondent. The retraction of MA awards, grants, or scholarships presented to Respondent will include termination of any funding commitments to the Respondent.
- f) Suspend Respondent's MA 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 MA membership with no opportunity to reapply for membership.

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