

## **1. DISCIPLINARY PROCEDURES: Violation of NACE Policies**

General Policy Statement: It is general NACE Policy not to allow the complaint process to be utilized to enhance a party's case in litigation, nor shall it allow or cause NACE to become involved in litigation or other private disputes between parties. To the extent that the subject of a complaint is also the subject of a legal proceeding to which NACE is not a party, the Ethics Committee shall take no action or shall cease action as soon as the Committee is made aware of litigious action.

If the Ethics Committee becomes aware that legal action has been initiated on the same issue, the Chair of the Committee shall inform the CEO. The CEO shall inform both parties, if applicable, that the complaint does not comply with NACE policies and procedures, and that the investigation has been terminated.

Effective and fair resolution of complaints requires that incidents or issues are brought to NACE's attention promptly. As such, NACE requires complaints to be brought within 12 months of the relevant event(s). However, even where complaints are made within 12 months, should it appear to the CEO, the Policy Committee or the Institute Policy and Practices Committee that delay has prejudiced an effective and fair resolution, they may judge it inappropriate to deal with the complaint.

If the CEO is a respondent in a claim, then the Executive Committee (excluding the CEO) shall assume the responsibilities of the CEO with respect to this manual. Complaints against the CEO shall be made in writing and submitted to the Chair of the Executive Committee.

If a member of the Board of Directors is a respondent in a claim, that member must be recused if the matter comes before the Board or the Executive Committee, as applicable.

Any complaints about the professional behavior or practices of any Association member or staff relating to the Association Policies must be in writing and shall be addressed to the CEO. See Attachment I for the Complaint Form. The following procedure shall be used in handling all complaints.

### **Member Complaint Against Staff**

Complaint shall be made in writing to the CEO. If the complaint raises issues under employment law, then those concerns should be given primary consideration. It is the responsibility of the CEO to address and resolve through NACE corporate policies and applicable employment laws and regulations.

### **Staff Complaint against Member**

Complaint shall be made in writing to the CEO. If the complaint raises issues under employment law, then those concerns should be given primary consideration. The CEO shall determine if the complaint should be handled directly, or forwarded to the Ethics Committee, in which case it shall be handled by the Ethics Committee per the procedure and timing contained in Table 1. The CEO shall obtain the advice of the Executive Committee in making this determination.

### **Member Complaint Against Member**

Complaint shall be made in writing to the CEO. All such complaints fall within the purview of the Ethics Committee according to the procedures and timelines as outlined in Table 1.

Attachment I – Complaint Form for NACE International Ethics Committee (Ver. 1, 5/2017)

Please refer to the **Ethics Committee Operating Manual** and the **NACE Policies and Procedures Manual** for information regarding the areas covered by the Committee and the procedure which shall be followed. Please complete this form electronically and submit with a signed covering letter.

Submit your completed form by email to the NACE International CEO at [NACECEO@nace.org](mailto:NACECEO@nace.org):

Name of Submitter: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Telephone (incl. country code): + \_\_\_\_\_

Submission Date: \_\_\_\_\_

Date of Alleged Violation: \_\_\_\_\_

Type of Alleged Violation (Please choose all that apply)

Code of Ethics Policy	<input type="checkbox"/>	Anti-Trust Policy	<input type="checkbox"/>	Conflict of Interest Policy	<input type="checkbox"/>
Patent Policy	<input type="checkbox"/>	Trade Names Policy	<input type="checkbox"/>	Letterhead/Logo Policy	<input type="checkbox"/>
Spokesman Policy	<input type="checkbox"/>	Business Card Policy	<input type="checkbox"/>	Use of Logo and Association Name Policy	<input type="checkbox"/>
Partnership Policy	<input type="checkbox"/>	Nominations and Elections Procedure	<input type="checkbox"/>	Other	<input type="checkbox"/>

If "Other" state primary Policy or Procedure: \_\_\_\_\_

Complaint filed by (list all parties with contact information; email is preferred):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complaint against (list all parties):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of complaint (please be as concise and specific as possible):

List of evidence (please attach any relevant correspondence to this document):

List of witnesses (with contact information, where possible; email is preferred):

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Please list any additional information/evidence not previously captured above.