

GAMA CODE OF CONDUCT PROCEDURES AND MEMBER DISCIPLINE POLICY

A. General Policy Statement

Membership in GAMA is a privilege and not a right. GAMA is committed to providing a professional, safe and welcoming environment for all members. Members may be subject to discipline if the member's conduct conflicts with Member Code of Conduct ("Code"). This policy outlines GAMA's process for investigating and taking disciplinary action against a GAMA member for violations of the Code.

The GAMA Board of Directors ("Board") is the governing body of GAMA and holds legal and fiduciary authority on behalf of GAMA and its membership including the authority to discipline members, up to and including expulsion from the association.

B. Member Discipline Procedure

Any person or GAMA itself (collectively "Complainant") may bring a complaint against any member ("Respondent") if they believe in good faith that the Respondent has violated the Code. Complaints must be in writing submitted on Member Code of Conduct Complaint Form ("Complaint"), provide all facts upon which the complaint is based, any supporting documentation, and shall be delivered to GAMA's Executive Director ("ED") via regular mail or email.

Code of Conduct Committee

The ED will share the Complaint with the Code of Conduct Committee ("CCC") on a confidential basis after first ensuring no CCC member has a conflict of interest in connection with the Complaint. The CCC will consider whether the Complaint is sufficient and the alleged conduct is within the scope of the Code. The CCC may also provide a copy of the Complaint to association's legal counsel for review. If the Complainant is a witness (third-party) to a violation of the Code that occurred, the individual who was directly affected will be asked to participate in any needed CCC investigation along with the Complainant.

If the CCC determines that the conduct alleged is outside of the scope of the Code or the Complaint is incomplete or insufficient, the CCC will dismiss the Complaint and so notify Complainant. Complaints which are deemed by the CCC to be incomplete or insufficient may be corrected and submitted by the Complainant.

If the CCC determines that the Complaint is sufficient and the conduct falls within the scope of the Code, the CCC will then provide notification (including a copy of this Policy and the Code), in writing, to the Respondent including a copy of the Complaint, all relevant facts and documents. The Respondent shall have 30 days from the date the notice is received by Respondent to submit a

written response to the CCC.

Upon receipt of Respondent's response or, if none, 31 days or more after Respondent's receipt of the Complaint, the CCC will meet to review the Respondent's response (if any) and any additional information obtained. The CCC will then decide, by a majority vote, whether the Respondent violated the Code. If the CCC determines that the Respondent did not violate the Code, the Complaint shall be dismissed, and the Respondent and Complainant shall be so notified in writing. If the CCC determines that the Respondent violated the Code, the CCC shall decide by majority vote on the disciplinary action(s) against the Respondent to recommend to the Board.

Board of Directors

The CCC's recommendation for disciplinary action will be sent to the Board for review in an Executive Session after first ensuring no Board member has a conflict of interest in connection with the Complaint. The Board shall then determine, by a majority vote, whether to accept the CCC's recommendations; to modify the CCC's recommendations; or to send the matter back to the CCC for further consideration of any discussion and/or new information.

If the Board, by a majority vote, decides to take disciplinary action(s) against the Respondent, the Respondent, and the Complainant (if the Board deems appropriate) shall be so notified. The Respondent shall then have 30 days from their receipt of the notification to file an appeal ("Appeal") by submitting the Member Code of Conduct Appeal Form [<https://www.gama.org/page/governing-documents>]. Only the Respondent shall have the right to appeal the Board's decision.

If an Appeal is not filed or is not timely filed, the Board's decision is final, and GAMA shall implement the Board's disciplinary actions against the Respondent.

If the Board, by a majority vote, decides not to take any disciplinary action, the Respondent, the Complainant, and the Respondent's Member Association (if the Board deems appropriate) shall be so notified.

Appeals Committee

If the Respondent's appeal is timely filed, it will be reviewed by the Appeals Committee which is a Standing Committee formed as per the association's bylaws. The Appeals Committee is comprised of at least one individual from each Voting Membership group. Board Members may not serve on this committee. All members of the Appeal Committee upon selection will be required to sign a confidentiality and non-disclosure agreement. The Appeals Committee will be provided with the Member Code of Conduct Appeal Form and all available information related to the Complaint as received by the CCC and reviewed by the Board. The Appeals Committee will review all information provided and the Board's decision.

Through the ED, Respondent will be notified in writing that they have five (5) business days from receipt of the notice to submit any additional information and of their ability to make a request to present their response directly to the Appeals Committee via a virtual/teleconference meeting. Upon receipt of appeals request, the committee must call for a meeting within 30 days.

During this meeting, the committee can do one of the following:

- 1) Overturn the suspension or expulsion with two-thirds vote of the Appeals Committee.
- 2) Reduce the punitive consequences with a majority vote of the Appeals Committee.
- 3) Determine that the suspension or expulsion stands with either a majority vote of the Appeals Committee, or by taking no other action.

Through ED, the Respondent, the Complainant, and the Respondent's Member Association (if they have been previously notified by the Board) shall be notified in writing of the Appeals Committee's decision, and GAMA shall implement the Board's disciplinary actions against the Respondent.

The decision of the Appeals Committee is final.

C. Disciplinary Actions

Should it be determined that there was a violation of the Code, the CCC 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 will specify the nature of Respondent's misconduct and inform the Respondent that further disciplinary action may be taken if misconduct is not corrected.
- b) Restrict or ban participation in GAMA events and/or activities for a specified period. The period may be limited or unlimited in duration.
- c) Suspend or remove from GAMA's 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 GAMA awards, grants or scholarships to the Respondent. The retraction of awards, grants, or scholarships presented to Respondent will include termination of any funding commitments to the Respondent.

- f) Suspend Respondent's membership. Such suspension must be detailed in a written document that outlines the reasons for the suspension and the conditions required for the termination of the suspension. The suspension must be adopted by the Board of Directors with a two-thirds vote. A suspension must be at least six (6) months in duration, unless the duration is modified by a two-thirds vote of the Board of Directors. A suspended member gains no benefits from their membership in the Association and is considered a non-member during the tenure of the suspension. At the end of the suspension, the member regains all benefits of membership in this Association. No refund of membership dues will be made to members who are suspended from the Association.

- g) Expulsion of Respondent's membership. A member may be expelled from the Association with cause at any time with at least 30 days' notice sent to the member by the Secretary of the Association. Such action requires a written declaration of the cause and two-thirds vote of the Board of Directors. Such action may only be taken at a Special Board Meeting called for the purpose of acting to expel the member. No refund of membership dues will be made to members who are expelled from the Association. A member who has been expelled may seek to re-enter the Association. Such an action requires majority approval of the Membership Committee, and a majority vote of the Board of Directors at its next regularly scheduled meeting.

The above disciplinary actions may be taken individually or in any combination thereof.