

APHA Code of Conduct Policy and Procedures

The American Public Health Association (“APHA”) is committed to high business and ethical standards for its members¹. In line with this commitment, the Executive Board of APHA has established the following Code of Conduct Policy and Procedures (“Policy”) for:

- receipt, retention and treatment of any concerns, issues, or complaints (together “Concerns”) regarding violations of the APHA Code of Conduct (“Reportable Matters”), and
- submission of Concerns by any member of APHA (“Reporting Member”) regarding Reportable Matters of another member of APHA (“Respondent”).

1 CONDUCT COMMITTEE

The implementation of this Policy shall reside in the Conduct Subcommittee of Governance Committee of the Executive Board. The Conduct Subcommittee shall comprise of three members of the Governance Committee appointed by the Governance Committee Chair. The executive director shall appoint an APHA staff member as Conduct Compliance Liaison. The Conduct Compliance Liaison shall serve at the direction of the Conduct Subcommittee in accordance with this Policy. All actions of the Conduct Subcommittee shall be by majority vote.

2 SUBMISSION OF CONCERNS

Any Reporting Member having Concerns about a Respondent may report such Concerns to APHA. Any Reporting Member filing a Concern must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a violation of the Code of Conduct and may subject the Reporting Member to disciplinary or corrective action. The Reporting Member must submit the Concerns in writing electronically, by regular mail or by electronic mail. Anonymous reports are not permitted.

The Reporting Member may request that they want their names to be kept confidential in relation to the Respondent. These Confidential Concerns will be treated in accordance with Section 8 of this Policy.

Any Party may submit Concerns under this Code of Conduct Policy through any of the following channels:

- (a) Electronically filing a report, using the following link:

¹ As used herein, “member” refers to an individual member.

https://docs.google.com/forms/d/e/1FAIpQLScyItvbEgWMvJbSdVsJN016lZ5Wcxb76CvofYQXsmjx8FITCg/viewform?usp=sf_link

- (b) By regular mail addressed to:
American Public Health Association
Attn: Conduct Compliance Liaison
800 I St NW
Washington, DC 20001
- (c) By e-mail addressed to the Conduct Compliance Liaison at:
ConductCompliance@apha.org
- (d) If the Concern involves the Conduct Compliance Liaison, then the Reporting Member may submit the Concern directly to the APHA Director of Human Resources at:
Ilka.cameron@apha.org

The report, letter, or e-mail (each a “Communication”) should contain as much detail as possible to allow for proper assessment. The Communication should be candid and include all relevant information regarding the Concern.

3 SCOPE OF MATTERS COVERED BY THESE PROCEDURES

The procedures set forth herein for reporting of Concerns relating to any Reportable Matters apply to the following Code of Conduct. All members should adhere to this Code of Conduct when conducting APHA business or attending APHA-sponsored events whether in person, virtually, or in written and/or verbal communications.

Decorum

- Be transparent and honest in conducting business.
- Make commitments and promises in good faith.
- Conduct oneself in a professional manner in all circumstances.
- Inform oneself of norms and customs of others and avoid engaging in behavior that may be considered disrespectful or intimidating.
- Respect others’ time by adhering to deadlines, being on time to meetings and events, staying present and providing information in a timely manner.

Collegiality

- Aim for consensus and compassion in all interactions.
- Respect diversity and foster inclusion.
- Promote shared decision making, information and resources.
- Encourage equitable access to leadership, development and engagement opportunities, as well as meetings and events.

Communications

- Listen to other points of view and seek to understand them.
- Enable and encourage all to bring forth ideas regardless of education level or professional experience.
- Engage people respectfully in discussion.
- If you disagree with someone or something being said/stated, stay focused on the topic and not personal feelings.
- Avoid interruptions and allow people to be heard.

Harassment/Discrimination

- Harassment is unacceptable and will not be tolerated.
- Racist, sexist, homophobic, transphobic, ageist, ableist or any other kind of discriminatory statements or actions are unacceptable and will not be tolerated.

4 TREATMENT OF REPORTABLE MATTERS

The Conduct Compliance Liaison will review each Communication.² All Concerns will be referred to the Conduct Subcommittee. The Conduct Subcommittee shall develop internal procedures for conducting a preliminary review of the Concern. The preliminary review shall include (a) a meeting with the Reporting Member (telephone or other remote communications) to gather any further information or details regarding the Concern; (b) a meeting with the Respondent (telephone or other remote communications) to ascertain the Respondent's version of the factual allegations in the Concern. The Respondent may also submit the Respondent's version of the factual allegations in writing, at the Respondent's discretion.

The Conduct Subcommittee, in its reasonable discretion, shall promptly determine whether any further investigation is warranted. In its determination, the Conduct Subcommittee shall consider whether there is any dispute in the factual allegations of the Concern; the seriousness of the issues raised; and the likelihood that further investigation will reasonably affect the Conduct Subcommittee's disposition of the Concern. All deliberations or meetings regarding a Concern shall be held in executive session.

If the Conduct Subcommittee decides that further investigation is warranted, it shall ensure coordination of the investigation. The Conduct Subcommittee shall have the authority to retain outside legal, accounting, or other relevant expertise in any investigation, as it deems necessary to conduct the investigation in accordance with this Policy. The Conduct Subcommittee shall prepare a report ("Report") summarizing the findings of the investigation.

The Respondent shall receive a copy of the Report (redacted as necessary to preserve the confidentiality of interested parties) and shall have the option to submit a written response to the

² If the Concern may constitute a criminal act, the Conduct Compliance Liaison shall immediately refer the Concern to the Executive Director. The Executive Director shall consult with the Chair of the Executive Board to determine whether the Concern should be referred to law enforcement.

Report within 10 calendar days, which may be extended an additional 20 days at the request of the Respondent. This response may include any relevant information, including documentation or witness statements. The response also may include any information that may bear on a decision regarding any Corrective or Disciplinary Action, as set forth in Section 5 of this Policy.

The Conduct Subcommittee will prepare a recommendation setting forth its findings and determinations regarding any Corrective or Disciplinary Action, discussed below in Section 4 of this Policy. The Conduct Subcommittee shall provide its recommendation to the Governance Committee for a final action (“Decision”). The Governance Committee consideration of the recommendation of the Conduct Subcommittee shall be limited to a review of the written record. The Decision shall be deemed final, including any corrective or disciplinary action; provided, however, that any Decision that may result in the expulsion of a Member shall automatically be referred to the Executive Board.

The Governance Committee will provide a copy of its Decision to the Executive Board and relevant APHA management. The Decision will also be provided to the Respondent and the Reporting Member. The Decision is intended to be for internal APHA purposes only and shall not be distributed to third parties except relevant legal or law enforcement authorities where applicable. APHA may provide a copy of the Decision to its Counsel, accountant, and other third-party professionals or experts.

For any Decision recommending expulsion, the Executive Board shall make the final decision whether to expel the Respondent from APHA. The Respondent shall have the right to make a written submission to the Executive Board regarding the Decision within 30 days after the Governance Committee has rendered its Decision. After receiving the Respondent’s submission, the Executive Board may terminate the membership in APHA of the Respondent if determined by the Executive Board to reflect discredit upon APHA,³ or otherwise to confirm or modify the Decision. All sessions or meetings of the Governance Committee and the Executive Board regarding the Decision shall be held in executive session.

5 CORRECTIVE OR DISCIPLINARY ACTION

It is the responsibility of the Conduct Subcommittee to report to the Executive Board and to relevant APHA management any non-compliance with APHA’s Code of Conduct. Under APHA Bylaws, repeated conduct violations may result in termination of membership of any individual who “acts in a manner as to reflect discredit upon APHA.”⁴ Corrective and disciplinary action may include 1) letter of warning; 2) letter of reprimand; 3) exclusion from certain meetings, sessions or conferences of APHA; 4) removal from leadership positions; 5) suspension of membership in APHA; 6) expulsion from APHA with possibility of reinstatement; 7) expulsion from APHA without possibility of reinstatement based on the nature, severity, and frequency of the violation.

³ APHA, Bylaws-Article VI, Section 7(T).

⁴ APHA Bylaws-Article III, Section 3.

Decorum Violations

An individual found to commit a decorum violation may be subject to disciplinary action. Repeated incidents of disrespectful behavior and repeated failure to meet deadlines, be on time to meetings and events, stay present and provide information in a timely manner may result in removal from leadership positions (if applicable) and/or suspension from APHA activities and events. Egregious acts of disrespect and/or lack of professionalism, in contrast to APHA's mission to strengthen the public health profession and promote policies backed by science, may result in suspension or expulsion from APHA.

Collegiality Violations

An individual found to commit a collegiality violation may be subject to disciplinary action. Individuals found to repeatedly and intentionally block the members from decision making, information and resources and/or restrict access to leadership, development and engagement opportunities, as well as meeting or events may be removed from leadership positions (if applicable) and/or suspended from APHA activities and events. If the violations are egregious, the member may be expelled with or without the possibility of reinstatement.

Communications Violations

An individual found to commit a communications violation may be subject to disciplinary action. Individuals found to repeatedly and intentionally block the members from decision making, information and resources and/or restrict access to leadership, development and engagement opportunities, as well as meeting or events may be removed from leadership positions (if applicable) and/or suspended from APHA activities and events. If the violations are egregious, the member may be expelled. Egregious acts of disrespect and a lack of professionalism in communication, against the mission of APHA to strengthen the public health profession and promote policies backed by science, may result in disciplinary action.

Harassment/Discrimination Violations

APHA is committed to equality and inclusion of all members regardless of race, national origin, religion, sex, age, disability, sexual orientation, gender identity, political affiliation, physical appearance, body size, or immigration status.

Discriminatory statements or actions may be subject to disciplinary action, including suspension or expulsion from APHA, temporarily or permanently, depending on the materiality, seriousness, and repetition of the violation. Individuals found to have participated in harassment, bullying, and/or verbal or physical altercations of any kind may be subject to disciplinary action, and these matters may be referred to local law enforcements as necessary and in accordance with any applicable law.

6 COMMUNICATION OF DECISION

The Decision will be distributed under the guidelines in this Section 6. If the Governance Committee determines that there is insufficient evidence to support a finding that a violation occurred, the Decision will be provided in writing by electronic email to the Respondent and the Reporting Party only.

If the Governance Committee determines that a violation has occurred, the Decision and a copy of the Letter of Reprimand will be provided in writing to the Respondent and the Reporting Member and when appropriate, to relevant APHA staff.

If there is a finding that a violation occurred and the Executive Board determines that the Respondent should be expelled from APHA, the Decision will be distributed to the Respondent, the Party, and relevant APHA staff.

7 NO RETALIATION

This Policy is intended to enable members to raise Concerns for investigation and appropriate action. With this goal in mind, consistent with the policies of APHA, the Conduct Subcommittee, the Governance Committee and the Executive Board shall not retaliate or tolerate any retaliation by management of APHA directly or indirectly, including encouraging retaliation by others, against anyone who, in good faith, makes a report of a Concern or provides assistance to the Conduct Subcommittee, management or any other duly authorized person or group, including any governmental, regulatory or law enforcement body, investigating a report of a Concern. If the Conduct Subcommittee becomes aware of a retaliatory action against a Reporting Member, the Conduct Subcommittee shall inform the Governance Committee and full Executive Board of such action.

Nothing in this Policy shall limit the authority of APHA to discipline, penalize, suspend or terminate any member for good and sufficient reasons, which reasons shall not include having in good faith made a report of a Concern or provided assistance to the Conduct Subcommittee, management or any other duly authorized person or group, including any governmental, regulatory or law enforcement body, investigating such report. A person's right to protection from retaliation does not extend immunity for any complicity in the matters that are the subject of the Concerns or any ensuing investigation.

8 CONFIDENTIALITY

Reports of Concerns, and investigations pertaining to Concerns, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. The Conduct Subcommittee shall take reasonable steps necessary to protect the identity of any person making a report of a Concern to prevent any officer, employee, contractor, sub-contractor or agent from being in a position to take any retaliatory action against such person making such report, including

encouraging others to take retaliatory action. In no event will information be released to persons without a specific need to know about the Communication or as otherwise set forth in this Policy.

9 CONFLICTS OF INTEREST

If the Concern involves the Conduct Compliance Liaison or a member of the Executive Board, the involved individual(s) will not be permitted to participate in the consideration of the Concern or the determination of what, if any, action needs to occur with regard to the Concern. If such involvement excludes the majority of the the Conduct Subcommittee participating in the process, the investigation and the decision will be assigned by the Executive Board an ad hoc committee made up of three members of the Executive Board.

10 RETENTION OF COMPLAINTS AND DOCUMENTS

The Conduct Subcommittee will maintain a log of all Communications, tracking their receipt, investigation, and resolution. All documents relating to the Communications and the investigations shall be maintained by APHA for a minimum of seven years from the initial receipt of the Concern by APHA.

11 QUARTERLY REPORTS

Once per quarter the Conduct Subcommittee shall present a report containing the following information with respect to each Communication received during the quarter at a meeting of the Governance Committee: a description of the Communication; whether or not the Communication resulted in the commencement of a formal investigation; and the status of each formal investigation.

12 DATE OF MOST RECENT BOARD CONSIDERATION

This revised Code of Conduct Policy was approved by the Executive Board on May 1, 2023.