



# The Association for Preservation Technology International

## Procedure for Investigating and Resolving Complaints of Violations of the APT Code of Ethics or APT Policies

The Chair of the Bylaws, Policy, and Ethics Committee is the designated Compliance Officer (CO) and has specific responsibility to lead investigations of formal complaints and facilitate resolutions to alleged violations of the APT Code of Ethics, its Conflict of Interest Policy, its Code of Conduct of Directors and Officers, its Whistleblower Policy, its Professional Recognition Program, or such other codes or policies as the APT Board of Directors may find appropriate. This procedure requires participation by three people, who are by default the Compliance Officer, President, and Executive Director. If any of these people have a conflict of interest\*, they will select an alternate APT officer or representative as follows: a member of the Bylaws, Policy, and Ethics Committee for the CO; a Vice President for the President; and a Past President for the Executive Director. The references to the Compliance Officer, President, and Executive Director below should be read with these recusal provisions in mind.

Once a formal complaint has been received, the following procedure will be followed by the Compliance Officer, who will serve as the primary point of contact. Members shall not attempt to influence the process outside of the investigation.

1. Within five business days of receiving the formal complaint on the Complaint of Alleged Violation form, the CO will notify the complainant in writing acknowledging receipt of the complaint. The CO shall notify the President and the Executive Director within the same timeframe. Complaints will be treated with confidentiality to the extent possible.
2. The CO will evaluate the complaint to assess if, assuming its allegations are valid, it may constitute a violation of the APT Code of Ethics or of another APT policy sufficient to merit further investigation. Within ten business days of receipt of the complaint, the CO, in conjunction with the President and Executive Director, will make a preliminary determination of whether the complaint merits further investigation. If in the opinion of these persons the complaint does not merit further investigation, the CO will notify the complainant of that decision and that APT will take no additional action.
3. If in the majority opinion of the CO, President, and Executive Director, the complaint does merit further investigation:
  - a. The CO will notify the complainant that an investigation will commence, and will provide an explanation of the investigative process.
  - b. The CO will notify the subject member of the content of the complaint and an explanation of

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the investigative process using a trackable delivery method. The subject member will have five business days to acknowledge receipt of the complaint to the CO, and may provide additional pertinent information within that timeframe.

- c. The process will proceed regardless of whether the subject member acknowledges receipt of the complaint.
4. The CO will interview each party separately, offering the parties an opportunity to describe their views of the event(s) in question. The CO will make a good faith effort to interview each party within ten business days.
    - a. If either party provides the names of other witnesses, the CO will also interview them if appropriate.
  5. The CO will review and evaluate any documentation or other evidence provided by either party. The CO may solicit documentation or other evidence at the time the complaint is filed, as a result of the interviews, or at any other time the CO may find appropriate. The CO is not obligated to review unsolicited information. Except as may be necessary to preserve confidentiality or for other good reason, all evidence provided by either party will be disclosed to the other party or parties, who will have the opportunity to respond to the CO within five business days.
  6. Using the information gathered during the investigation, the CO will determine if a policy violation has occurred. The CO may consult with other relevant persons (which may include the President; Executive Director; or Bylaws, Policy and Ethics Committee members) to make this determination.
  7. The CO will propose a resolution in conjunction with the President and Executive Director (unless either is a subject of the complaint), and will inform each party in writing of the proposed resolution.
  8. If each party agrees to the resolution, the CO will provide a brief report to the Executive Committee and Executive Director documenting the investigative process and stating that the issue has been resolved. The report will serve as the sole formal documentation associated with the complaint and will be retained in accordance with APT's Records Retention Policy. This will conclude the process.
  9. If one or more parties do not agree to the resolution, if no resolution is possible, or if the violation is significant and warrants disciplinary action, the CO, in consultation with the President and Executive Director, and optionally the Bylaws, Policy and Ethics Committee members, will provide a report recommending corrective or disciplinary action to the Executive Committee, which may include (but not be limited to) rescinding of any awards or honors bestowed, removal from office or appointed position, or termination of membership.
  10. Upon approval by the Executive Committee, the CO will present the recommendation on behalf of the Executive Committee to the Board of Directors for a vote in accordance with APT's Bylaws. The CO will provide the Board a written report documenting the complaint and substantiating the recommendation at least five business days prior to the vote. Board members will maintain

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confidentiality throughout the process. In the course of discussion with the Board, the CO may elect to modify or withdraw the recommendation.

- a. If the vote passes, the CO's recommendation shall be executed.
- b. If the vote fails, the matter will be considered resolved without further action.

11. At any point in the process, the complainant may request to withdraw the complaint. The request may be accepted at the discretion of the CO.