

Academy of Management Code of Ethics Policies and Procedures for Handling Charges of Ethical Standards Violations

May 2017

Introduction

This document outlines the policies and procedures for handling charges that the ethical standards of the Academy of Management Code of Ethics have been violated. The policies and procedures are intended to reinforce the highest standards of professional ethics and practice through a process that is fair, procedurally just, and effective. These policies and procedures are periodically evaluated by the Ethics Committee. All recommended changes are approved by the Board of Governors.

Principles

The following principles guide the Policies and Procedures:

- *Predictable*: Each individual complaint is handled in a consistent, orderly, fair, and just manner.
- *Transparent*: The Code of Ethics and the Policies and Procedures for Handling Charges of Ethical Standards Violations are made available to members. Charges and responses are made known to the parties, and decisions are explained and documented.
- *Professional and Impartial*: Each case is handled on the basis of good will and with a belief that there is no malicious intent on the part of anyone involved. All parties are treated equally and impartially.
- *Democratic*: Both parties have voice, an opportunity to be heard. The process includes checks and balances.
- *Confidential*: The process is confidential; but, within the process all individuals involved, their complaints, and responses are known to each other.
- *Efficient*: A commitment is made to resolve issues swiftly, allowing proper time for quality deliberation.
- *Educative*: The process is intended to be educative with regard to ethics and positive professional practice for all parties involved.

Roles and Responsibilities

Members appointed to the various roles that implement the Academy's ethics Policies and Procedures have an obligation to act in an unbiased manner, to work expeditiously, to safeguard the confidentiality of the adjudication process, and to follow the procedures established to protect the rights of all individuals involved. In addition, each member is expected to act only to uphold the Ethical Standards of the Code of Ethics while keeping in mind the principles that guide the Policies and Procedures. Individuals appointed to Ethics roles are also expected to possess the ability to act with clarity and independence, be perceived as fair and objective, have experience in scholarly publishing and are active members in good standing that reflect the AOM's professional norms and standards.

Ethics Committee:	Committee of the Board of Governors ("EC").
<i>Composition:</i>	Chaired by the Past President, it includes two board members.
<i>Term:</i>	1 year. Board members may be reappointed during their tenure on the Board.
<i>Responsibilities:</i>	Provides ethics policy and strategy advice to the Board of Governors. Sounding board to all ethics volunteers with regard to questions of the Code or Policies and Procedures. Receives and vets policy changes and vets the issues to the Board of Governors. Spearheads new ethics-strategy initiatives; periodically reviews and recommends changes to the Code and the Policies and Procedures; Receives reports from Ethics Ombuds, EEC, EAC and EAP regarding all ethics activities. Reports all ethics activities to the Board of Governors and provides Board feedback to all Ethics committees and roles. At appropriate intervals the Ethics Committee prepares

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summaries of decisions regarding ethical questions and issues for the purpose of educating members and forwards to the Ethics Education Committee for educative purposes. After approval by the Board of Governors, summaries may be published and distributed to the membership when the BOG believes doing so constitutes an opportunity to educate members.

Ethics Ombuds Committee: Initial Point of Contact for ethics inquiries.

Composition: Chair (“Ombuds”) and two at large members (Associate Ombuds) appointed by the Past President.

Term: 3 years with each year of service occurring from August to August. Committee members may be reappointed. For retained knowledge, committee member terms should be staggered.

Responsibilities: The Ombuds Committee provides expert advice on ethics matters to the AOM. The Chair of the Ombuds Committee serves as an ex-officio member of the Ethics Committee. The Ombuds Committee performs the following responsibilities: mediates disputes among AOM members concerning alleged ethics violations, provides informal counseling (“active listening”) and referrals to individuals on ethics issues; educates individuals about the Code of Ethics, Ethical Standards and the Policies and Procedures; receives and processes requests for interpretations of the Code. In select circumstances, and with permission of the complainant, Ombuds Committee members may forward anonymous complaints worthy of investigation to the Past President for possible action (see Operating Procedures & Anonymity).

The Ombuds Committee may provide both mediation and informal counseling to both the Complainant and Respondent, yet makes no decisions for the parties nor judgments on the merits of a complaint. The Ombuds Committee members may:

- suggest an informal resolution of the ethics dispute among the parties;
- explain the AOM process for filing complaints;
- provide forms and materials should a party wish to file a complaint with the EAC;
- guide non-members and are available for counseling if the need is presented.

Additional responsibilities include:

- notifying the EAC Chair that a complaint may be forthcoming;
- interfacing with the Executive Officer on the disposition/routing of issues;
- maintaining Ombuds Committee Annual Reports;
- providing expert advice on ethics matters to the AOM.

In a case where the Ombuds is a party related to the complaint, has a relationship with any party in the dispute or is conflicted, he/she shall recuse himself/herself and another Ombuds Committee member will respond to the case.

Ethics Adjudication Committee: Enforcement body for the Ethical Standards (“EAC”).

Composition: Chair (appointed by the Past President), two at-large members.

Term: Three years from August to August. Committee members may be reappointed. For retained knowledge, committee member terms should be staggered.

Responsibilities: The EAC Chair screens inquiries to assess whether the matter meets criteria for filing a complaint. The EAC verifies that the complaint follows requirements or requests that Complainant submits needed materials; notifies Complainant that response has been filed; The EAC also explains adjudication procedures; receives and processes

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complaints about alleged violations of the Ethical Standards; compiles an objective, impartial, and factual account of the dispute in question, and makes the best possible recommendation for the case. The EAC does not investigate; it is the responsibility of the Complainant and Respondent to provide the EAC with relevant information. The EAC may request additional information to aid its discussion. In taking action, the EAC shall do so only for just cause and shall only take the degree of disciplinary action that is reasonable. The EAC uses due process procedures with adherence to the guiding principles: predictable, transparent, unemotional/impartial, democratic, confidential, efficient and educative. In a case where any member of the EAC is a party related to the complaint, has a relationship with any party in the dispute or is conflicted, he/she shall recuse himself/herself from all deliberations and votes and the Ethics Committee Chair shall appoint a replacement so that the EAC may fulfill its responsibilities.

Chair Responsibilities: Notifies involved parties including Complainant, Respondent, and Executive Officer; convenes EAC when a complaint is to be adjudicated; requests additional information or documentation; presides over all adjudication processes; issues the final written determination to all parties, and to the Executive Officer; files all records with the Executive Officer; confers with the Executive Officer when needed.

Ethics Education Committee: Handles ethics education in the AOM (“EEC”).

Composition: Chair, appointed by the past president, and minimally two at large members. **Term:** Three years from August to August. Committee members may be reappointed.

Responsibilities: Educates the membership about the AOM Code of Ethics and Ethical Standards; consults with the Ethics Committee about possible changes or improvements in the Code of Ethics as a result of education efforts; helps officers and other volunteers and members who address ethics matters in the course of handling Academy activities; provides support mechanisms and tools to facilitate their work. Translates ethics activities or inquiries into education opportunities for the membership. Educates members on ethics violation decisions for prevention purposes.

Past President: Ethics Liaison to Board of Governors.

Responsibilities: Appoints chairs and members of the following committees: Ethics Ombuds, Ethics Education Committee and Ethics Adjudication Committee. Appoints Ethics Appeals Panel when needed; chairs the Board of Governors Ethics Committee. Sounding board for all ethics volunteers with regard to questions of the Code or Policies or for advice when handling ethics issues; vets questions or issues to BOG Ethics Committee. In select circumstances, files complaints on behalf of the AOM membership (see Operating Procedures & Anonymity).

Staff Liaison: Keeper of records (“STAFF”).

Responsibilities: Maintains historical records of all ethics documents and complaint procedures; serves as liaison to legal counsel where appropriate; coordinates appointments of roles; handles violation of copyright actions

Ethics Appeals Committee: Committee to hear and review appeals (“EAP”).

Composition: Chair and two members at large appointed by Past President. EAP members with expertise in the subject matter of publications and ethics are preferred.

Term: Three years from August to August.

Responsibilities: At the discretion of the Ethics Appeals Chair, the Appeals Committee will accept and review only Appeals by the Respondent. *The Appeals process is designed as a final consideration for appeal of **determination** and/or **sanctions** by the EAC.* The



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Appeals Committee compiles an efficient, objective, factual account of the appeal and makes the best possible recommendation for the case; uses these procedures with adherence to the guiding principles--predictable, transparent, unemotional/impartial, democratic, confidential, efficient, and educative. In a case where any member of the Appeals Committee is a party related to the complaint, has a relationship with any party in the dispute or is conflicted, he/she shall recuse himself/herself from all deliberations and votes and the Ethics Committee Chair shall appoint a replacement so that the Appeals Committee may fulfill its responsibilities

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Operating Procedures

Quorum and Voting

The full committee of the EAC shall constitute a quorum. All decisions shall be by two-thirds vote of those appointed members, either in the case of vote by electronic mail, or by voice if held by conference call. In the event an EAC member must recuse himself/herself from a complaint, the Past President shall temporarily appoint a replacement.

Conflicts of Interest

If the Complainant or Respondent challenges the composition of the EAC or EAP, he or she must inform the Past President of the AOM in writing before the adjudication or appeals process begins. Challenges are for alleged bias, prejudice, or conflict of interest. Notwithstanding the foregoing, members of the EAC and EAP shall be vigilant in assessing their own impartiality, as well as any questionable appearances due to relationships, and shall take appropriate action to eliminate any appearance of impropriety.

Resolution of Conflicts of Interest are handled by the Past President and President of the AOM as Chair and Chair-Elect of the Ethics Committee who determine whether a conflict exists. If a conflict of interest or perceived conflict of interest is determined, the person will not participate in the discussion or decision and be recused from the ethics complaint.

Means for Handling Complaints

Three principal means for handling ethics complaints are telephone consultations, electronic mail, video conference or electronic communication. Final determinations must be completed in hardcopy but can be electronically mailed to all necessary parties. Questions or issues that arise *during the course of an adjudicated complaint* must be forwarded to the Executive Office. Questions or clarifications about the process or the determination, from both the respondent and complainant are forwarded by staff to the EAC Chair. Some issues may not be resolved while the process is going forward but will be addressed at the conclusion of the adjudication.

Confidentiality

At the point of original suspicion or informal query, members are urged to avoid public disclosure of the situation. Once a formal complaint is filed with the Ethics Adjudication Committee both the Complainant and Respondent shall avoid public disclosure and discussion of the complaint **until 30 days after the final determination**. Breach of this requirement by either party may result in dismissal of the complaint by the EAC Chair and may be a violation of the Code of Ethics. Throughout the process, the Ombuds, EAC, EAP, Complainant, and Respondent are all expected to respect the confidentiality of the process as well as its outcome. **The Academy's Code and its Policies and Procedures apply only to AOM activities and as such, have no jurisdiction outside the Academy.**

Use of Counsel

Adjudication proceedings are not legal proceeds and are closed to legal counsel of all parties. These policies and procedures are non-adversarial and intended to consider an objective review of the facts and information provided by the Complainant and Respondent.

Informal Protocols and Queries

In all cases, members are first encouraged to resolve disputes directly and informally with the other party involved. If informal resolution is not possible, the Complainant has the option to file a formal complaint with the EAC.

Amendment

The Policies and Procedures for handling charges of ethical-standards violations may be amended by a vote of the Board of Governors, following a recommendation by the Ethics Adjudication Committee, Ombuds Committee, Ethics Education Committee, or Ethics Committee.

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Time Limits for the Filing of Formal Complaints

Complaints about publications and/or the publication process must be filed within 3 years of the alleged incident. Complaints regarding personal conduct must be filed within 6 months of the alleged incident. Complaints regarding fiduciary or other issues must be filed within 18 months of the alleged incident. The EAC may accept formal complaints outside of the above time frames under exceptional circumstances.

Timelines for Adjudication

The Ombuds may accept cases late, and the EAC or EAP chairs may, at their discretion, accept documentation submitted late, and may also delay or postpone review of a case for good cause. Additionally, Respondents may request that the EAC delay or postpone its review of a case for good cause if done so in writing. However, decisions to delay or postpone are solely determined by the EAC. Otherwise, all timelines for submittal and response must be adhered to for matters to be resolved efficiently and in good faith. If a case is being adjudicated when the terms of the EAC members are ending, the EAC will see the case through to its conclusion.

Notice of Legal Action

If Complainants or Respondents know of any legal action (civil or criminal) related to the complaint, they are required to notify the EAC. If the Academy of Management is threatened with legal action before, during or after the ethics process, the process will end and the matter will be turned over to legal counsel. In the event of any legal action, all activity will be stayed until the conclusion of the legal action.

Filing of Formal Records

Final written reports must be filed formally by the EAC Chair and with the Staff Liaison. A copy of the EAC report, with all names or identifying marks removed from the report, may be made available to the Ethics Committee and/or the Ethics Education Committee for the purpose of learning and refinement of processes.

Retaliation

Retaliation against any individual for inquiring or filing a complaint is prohibited. If the complainant or respondent is proven to have taken any adverse actions against the other party, the individual has violated these Policies and Procedures and stands in violation of the Code of Ethics. This may result in expulsion from the Academy of Management.

Record Retention Policy

The records retained on file for each adjudicated ethics case will be the following:

- A. Original complaint (*including any supporting documents*)
- B. Response to complaint (*including any supporting documents*)
- C. Final determination of the Ethics Adjudication Committee (*which may include any documentation relevant to the final determination*)
- D. Other documents requested of the complainant and/or respondent by the ethics adjudication chair that are added to the original complaint or response
- E. Ombuds Committee members, in compliance with the International Ombudsman Association Standards of Practice, do not keep records.

Accordingly, it is our policy that following each case, members of the Adjudication Committee shall delete email correspondence on the case. Email represents inconclusive and internal dialogue between the parties. Only the official determination, which culminates from the dialogue and final consensus, shall be filed for the record. Where learnings have been gained from the email dialogue, the Ethics Adjudication Chair shall prepare a separate internal document for the purpose of improving the ethics process. In the matter of dismissed complaints, the Ethics Adjudication Committee retains the formal complaint and supporting documents; however, the EAC Chair may determine that records can be destroyed or minimal records retained. This document will be made generic (without names or other identifying information) and kept apart from the official ethics files. Any learnings documents will be shared with the Ethics Education Committee in order to educate members. All final files for adjudicated cases are recorded by case number and the last name of the complainant and maintained by the Executive Director of the Academy. Files shall remain in perpetuity *except* where the Final Determination reflects a sanction of "Private Reprimand" in which case records are retained for a period of 10 years.

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The records retained for ethics inquiries shall consist of a generalized recording of the types and nature of inquiries (without names or other identifying information) received by the Ombuds for the purpose of education and process improvement. The Chair of the Ombuds Committee shall file a report to the Ethics Committee of the Board each year.

Notice of Suspension of Ethics Activity

Ethics activities, including the adjudication of complaints and process and receipt of new complaints may be suspended from July 1 – September 1 due to time conflicts with the AOM Annual Meeting. The EAC Chair will notify both parties in advance if a suspension is necessary.

Anonymity

The fundamental underpinnings of the AOM Code of Ethics and Policies and Procedures revolve around the concept of transparency and the notion that parties to the process should be known to each other. In ethical inquiries where the individual wishes to remain anonymous, the Ombuds Committee or the Ethics Adjudication Committee may counsel individuals to identify themselves so that both parties become known to one another. However, the Ombuds Committee, or the Ethics Adjudication Committee, may invoke an anonymous complaint if **all** criteria are met in that: the Ombuds Committee or the Ethics Adjudication Committee has determined that the complaint is reasonable and worthy of investigation despite the anonymity of the source; where clear evidence exists of the misconduct; *and* if there exists an obvious evidence of a power imbalance between the anonymous source and the accused. The Past President acts as proxy for the anonymous complaint and files a formal complaint on behalf of the anonymous source. The anonymous source must be known to the Ombuds and remain accessible for the entirety of the complaint process. In any case where a Complainant (or proxy) does not establish a violation, the Complaint is dismissed.

Appeals

Upon completion of an Ethics Adjudication process, the Respondent involved in the Complaint has a right to Appeal the determination and/or sanction. Appeals to the EAC are only permitted on the basis of **determinations** and/or **sanctions**. The Respondent must contact the EAC and provide a written Appeal Form and submit it to the EAC within 30 days of the dated Final Determination letter. Appeals are not allowed for dismissals or on matters of due process by the EAC. The filing of an appeal automatically stays the implementation of the final determination by the EAC until the appeal is resolved.

Third Parties

These operating procedures apply to incidents that occur within the domain of AOM activity. Further, the ethics process deals with complaints presented by a particular complainant regarding a particular respondent. Thus, if a complaint involves a third party, that party needs to file his/her own complaint if he/she wishes to have the complaint adjudicated.

Copyright Protection

Unauthorized use of the Academy of Management name, copyrighted works, or marks by any publishers is prohibited. If unauthorized use of the Academy of Management name, copyrighted works, or marks by a publisher(s) is discovered, the matter will be turned over to the Staff Liaison for action. Such matters are legal and business concerns that are not handled through the ethics process.

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Adjudication Processes

Screening of Inquiries

1. Individuals with ethical inquiries may choose to “visit” with a member of the Ombuds Committee prior to initiating a formal complaint or inquiry if they wish. The Ombuds provide informal counseling and may discuss the incident with other AOM Ombuds or with the EAC Chair, retaining appropriate confidentiality.
2. Should the visitor wish to pursue formal adjudication procedures, any Ombuds involvement will end, as it is opposed to International Ombudsman Association standards to remain involved when formal proceedings have begun. Ombuds Committee actions at this juncture must remain neutral and are limited to explaining the AOM process for filing complaints and providing forms and materials should the party wish to file a complaint with the EAC.
3. Inquiries regarding formal proceedings or adjudication are initiated and screened by the EAC Chair. The EAC may discuss the incident with the individual to assess preliminarily if:
 - a. *The alleged incident occurred within the domain of an AOM activity;*
 - b. *The alleged incident is covered under the Ethical Standards of the Code of Ethics;*
 - c. *The complaint is being filed within the specified time limits.*
4. If YES to all of the above, the EAC Chair sends a complaint packet to the individual to initiate a formal complaint. The packet includes an Ethics Complaint Form, a copy of the Code of Ethics, and a copy of these Policies and Procedures.
5. If NO to any of the above, the EAC Chair informs the individual that the matter is not subject to adjudication. The Ombuds may agree to visit with the individual for educational purposes, if the individual desires.

Eligibility to File Complaints

1. After initial screening, the Ethics Adjudication Committee (EAC) will receive allegations of complaints that AOM members have violated one or more sections of the Ethical Standards of the Code of Ethics from the following individuals:
 - a. Any member who has reason to believe that an AOM member has allegedly violated the Ethical Standards of the AOM Code of Ethical Conduct.
 - b. The Chair of the Ethics Committee on behalf of the AOM membership, when the Chair has reason to believe that AOM members have allegedly violated the AOM Code of Ethical Conduct.
 - c. Any non-member ¹(e.g., non-member authors, exhibitors, etc.) under select conditions having to do with their involvement in AOM activities.
2. Issues or complaints involving two non-members are not eligible for filing formal Ethics Complaints.

Filing of Formal Complaints

1. All formal complaints are received by the EAC.
2. Only written complaints will be considered. Oral complaints are not permitted.
3. Complaints must be filed within the specified time limits. Individuals eligible to file complaints must:

¹ Regarding non members: when a complaint has been filed against a non-member, the non member will be asked if he/she wishes to participate in the adjudication process. If no, the adjudication committee, based on the complaint received from a member, will proceed with the adjudication process. If yes, the process will go forward as it would for a member.

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- a. Complete and sign an Ethics Complaint Form that includes the name of the Complainant, name of charged member, violation information, and names and contact information for any other persons who have knowledge of the facts involved. The Form must be **signed** by the Complainant in order for the complaint to be examined.
 - b. Include a brief supporting statement with evidence of how the accused party violated the referenced ethical standards. The Complainant has the burden of proving the facts upon which a violation may be found. In the event the Complainant's evidence does not establish a violation, the Complaint is dismissed.
 - c. Supply any pertinent supporting documents
4. The EAC will hear anonymous complaints under select circumstances and that meet the following criteria:
- a. The EAC has determined that the complaint is reasonable and **worthy** of investigation despite the anonymity of the source *and*
 - b. Clear evidence exists of the misconduct *and*
 - c. There is an obvious evidence of a power imbalance between the anonymous source and the accused.

Preliminary Screening of Formal Complaint by EAC

1. The EAC Chair receives and screens the complaint to assess preliminarily if:
 - a. *The Complaint Form is signed and filled out completely, accurately, and is accompanied by supporting materials.*
 - b. *The complaint is covered under the Ethical Standards of the Code of Ethics and may be a violation of a specific Standard that is referenced on the Complaint Form.*
 - c. *The complaint has been filed within the specified time limits.*
2. If **YES** to all of the above, the EAC Chair notifies the Executive Officer and sends a copy of the Complaint Form and supporting documentation.
3. If **NO** to any of the above, the EAC Chair contacts the individual to: a) inform him or her that the forms and materials are not in conformance with the requirements and must be resubmitted for consideration, b) the complaint is not subject to adjudication by the EAC, or c) provides counseling for educational purposes, or refers the complainant to the Ombuds if desired.
4. If the EAC Chair receives a complaint from an anonymous source and feels the complaint meets the criteria for anonymity, the anonymous source must be known and accessible to the EAC Chair for the entirety of the ethics process. The anonymous complainant must complete an Ethics Inquiry Form and provide all evidence to support the complaint. The EAC Chair then notifies the Past President who acts as proxy for the Complaint to go forward. The Past President files a formal complaint as proxy and sends the proxy complaint, removed of all identifying information about the complainant to the Ethics Adjudication Chair for preliminary screening².
5. The EAC Chair receives the screened complaint and any supporting documentation from the parties.
6. If the complaint is a proxy complaint from the Past President, the EAC Chair reviews the complaint to determine if clear evidence exists of the misconduct and if there is clear evidence that an obvious power imbalance exists between the anonymous source and the accused. If the criteria are not met, the EAC Chair can convene the EAC to review the complaint or dismiss the complaint.
7. The EAC Chair screens the complaint to determine preliminarily if
 - a. *the complaint is a matter of education or a matter of alleged potential violation,*
 - b. *the complaint, if proven, has sufficient grounds to warrant a violation of the Ethical Standards in the Code of Ethics,*

² The EAC Chair fulfills preliminary screening of anonymous complaints to determine if the complaint meets the criteria for anonymous complaints under select circumstances.

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- c. *the complaint is not trivial,*
 - d. *there is sufficient evidence to proceed.*
8. In the case of an anonymous complaint the EAC performs screening of the Complaint to determine if all of the following criteria have been met:
 - a. *The complaint is reasonable and **worthy** of investigation despite the anonymity of the source and*
 - b. *Clear evidence exists of the misconduct and*
 - c. *There is an obvious evidence of a power imbalance between the anonymous source and the accused*
9. The EAC Chair verifies the specific standard that has been violated and any additional subsets of the Ethical Standards if not included on the Ethics Complaint Form.
10. The EAC Chair fulfills preliminary screening of any anonymous complaints to determine if the complaint meets the criteria for anonymous complaints under select circumstances.
11. The EAC Chair may provide clarifying information to the Complainant to focus the complaint on appropriate ethical standards. Similarly, the EAC Chair may identify for the Complainant content of the complaint that falls outside the boundaries of ethical standards and will not be adjudicated.
12. If the complaint does not show sufficient information to warrant further inquiry, the EAC Chair may ask for additional information. Otherwise the EAC Chair notifies the Complainant that the matter is dismissed. The EAC Chair places the complaint and dismissal action on file with the Executive Officer.
13. After initial screening by the EAC Chair, if the complaint exhibits sufficient information to warrant further inquiry, the Chair, who may first consult with EAC, sends a formal notice of complaint to the Respondent of which ethical standards are to be adjudicated by the EAC for review and concurrence. The Respondent is sent the Ethics packet to include the formal notice of Complaint, these Policies & Procedures and a copy of the Code of Ethics.
14. The EAC Chair notifies the EAC Committee that a complaint is in process and will be adjudicated.

Notice of Complaint, Informal Resolution, and Investigation

1. Every formal complaint not dismissed or deferred by the EAC Chair is promptly communicated to the charged individual, known as the Respondent.
2. The EAC Chair sends the Respondent a copy of the formal complaint along with a copy of these policies and procedures, the Code of Ethics, and any evidence/documents submitted in support of the complaint. The Respondent must acknowledge receipt of the information as soon as possible.
3. The Respondent has 30 days from the date of receipt of the complaint to respond to the EAC Chair. The Respondent is asked to provide a written response addressing the section(s) of the Ethical Standard(s) of the AOM Code of Ethics he or she has been accused of violating, and may also submit any evidence and documents he or she wishes to be considered by the EAC in reviewing the complaint.
4. If a Respondent fails to respond to the complaint within the time allowed or does not respond to the inquiry in a suitable manner, the EAC Chair can forward the matter directly to the EAC to adjudicate the matter without participation by the Respondent.
5. Once the EAC Chair receives the response, a copy is shared with the Complainant. For transparency of the process, the parties involved and the EAC members will become known to each other. The parties may be asked by the EAC to provide additional information in writing that also will be shared.
6. The EAC Chair will ask the Complainant and Respondent if they would like to resolve the matter informally before adjudication begins. The EAC Chair may refer the parties to the Ombuds should informal resolution be sought. If no, the case moves forward. If the Complainant and Respondent both agree to discontinue the complaint process, the EAC Chair will accept the withdrawal and consider the case dismissed.
7. If the case moves forward, the EAC Chair assembles the EAC to start the formal process. If a

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member of the committee is unavailable, the Past President can appoint a replacement to participate in the process to its completion.

8. The EAC Chair notifies the Complainant and Respondent at the start of the formal process. Unless specifically requested by the EAC, no new supplemental information from either party is accepted once the formal process begins with the EAC.
9. The EAC receives the following from the Chair: the signed Complaint Form and supporting documentation and the signed response from the Respondent and supporting documentation.
10. Within 60 days of the start of the adjudication process, the EAC will dismiss, defer, or deliberate the case; request or allow additional information from either or both parties to be presented; and render a final written determination.
11. If the case is dismissed or deferred, the Complainant and Respondent are notified in writing of the reasons for dismissal or deferral. A complaint can be dismissed by the EAC if the Respondent agrees to the fact that ethical negligence occurred and is willing to immediately take corrective action deemed sufficient by the EAC.

Final Determination

1. The EAC renders a final, written determination within 60 days from the start of the adjudication process that is initiated when the EAC Chair forwards the complaint, response, and all documents to the full committee.
2. The written determination includes findings of fact and conclusions as to whether a violation occurred as alleged in the complaint, along with the ruling and/or sanctions. If no violation was proven, the EAC report recommends dismissal of the complaint. The EAC chair notifies both the Respondent and Complainant regarding the outcome of the complaint and notice of final determination. The Chair then forwards a copy of the report both to the Complainant and Respondent. All final-determination reports are filed with the Executive Officer.
3. If the EAC dismisses the complaint, the dismissal is noted in the final determination.
4. If the EAC renders a determination of violation of an Ethical Standard, the EAC may impose corrective action with or without sanctions. Corrective action can include educational requirements or other actions as may be necessary to remedy a violation or protect the interests of the AOM.
5. Possible sanctions may include, but are not limited to:
 - a. **Private Reprimand.** For ethics violations not likely to cause harm to another person or to the profession. A private reprimand serves as official rebuke in which the names and facts of the case are not disclosed to the AOM membership. Names and facts of the case are maintained as part of the internal ethics files and considered if further ethics complaints against the individual(s) are raised. However, the nature of the case without identifying information may be made available to the AOM membership for educational purposes. Names and facts of the complaint are not released to AOM members and known only to ethics volunteers and staff carrying out their official duties under the processes outlined in the Code of Ethics. The Academy's Code and its Policies and Procedures apply only to AOM activities and our AOM community and thus have no jurisdiction outside the Academy.
 - b. **Public Reprimand:** For ethics violations that have been distributed or made visible to the public. The ethics violation is not likely to cause harm to another person but may harm the profession. A public reprimand serves as official rebuke that is publically announced by the AOM to the AOM membership. Names and facts of the case are also maintained as part of the internal ethics record and considered if further ethics complaints against the individual(s) are raised.
 - c. **Denial of AOM privileges:** For violations likely to cause harm to individuals and/or the profession.

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- d. Termination of membership: For violations likely to cause substantial harm to another person or to the profession or are of sufficient gravity to warrant such action.
 - i. Reinstatement: Persons whose membership has been terminated may apply for reinstatement after two years of notice of the final determination.
 - ii. Reinstatement requires a 2/3 vote of the EAC.
6. Possible sanctions for non-members may include, but are not limited to:
 - a. The fulfillment of immediate corrective action in accordance with the mandates of the EAC (may involve notification of third parties)
 - b. Private reprimand (as noted above)
 - c. Public reprimand (as noted above) to be visible on the Ethics website of AOM Online and a news item in the AOM Newsletter
7. In all complaints where the EAC has determined that "plagiarism" of the Academy's copyrighted material has occurred, the Respondent will be required to remedy the violation by notifying the publisher in which the work originally appeared. The respondent is responsible for making the plagiarism known to the publisher and remedies the error (i.e., correction in the next edition, retroactive payment for permission, etc.).
8. The penalties for failing to fulfill either corrective actions or sanctions in a satisfactory manner may result in automatic suspension of membership until the requirement(s) is met.
9. A copy of the EAC report, with all names or identifying marks removed from the report, is sent to the Past President (Chair of the Ethics Committee) and may be made available to the Ethics Committee of the Board of Governors for the purpose of learning and refinement of processes.

Notices of Determination

The decisions and determinations both of the EAC Chair (in the case of deferrals and dismissals) and of the EAC (in the case of dismissals and determinations of ethical violations), are subject to notice in the Ethics Committee report.

Notice of Appeal

1. If a Respondent wants to contest the determination or sanction imposed by the EAC, an appeal may be initiated within 30 days of the dated determination letter. The Respondent must contact the EAC Chair to request an appeal. The EAC Chair screens the request for Appeal and sends an Appeals Form to the Respondent.
2. The Respondent submits a completed and signed Appeals Form, along with a supporting statement to the EAC Chair. Only written appeals will be considered.
3. Appeals to the EAC Chair are only permitted on the basis of **determinations** and/or **sanctions**. Appeals are not allowed for dismissals or on matters of due process by the EAC. The filing of an appeal automatically stays the implementation of the final determination by the EAC until the appeal is resolved.
4. Once the EAC Chair receives the completed Ethics Appeals Form with supporting documentation, he/she contacts the Ethics Appeals Committee.
5. The Chair of the EAP will be sent the Appeals form and any supporting documentation along with the Code of Ethics and these Policies and Procedures.
6. The EAP Chair contacts the previous Complainant to make the fact known that an Appeal has been forwarded and the Appeals Committee is being formed. The Complainant will be given a copy of the Appeal and asked if they wish to provide a written response within 30 days to the EAP regarding the nature of the Appeal. The Complainant should be made aware that an Appeal stays the original determination (and possible sanctions).
7. The EAP Chair forwards all of the materials (including any response from the Complainant) to the EAP.
8. The EAP will use the prior documentation, including the notice of determination, to inform its process.

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The Respondent can submit additional documentation if necessary.

9. The appeals process must conclude within 120 days, with a written determination and report.
10. The decision by the EAP is final, and limited to: upholding the determination; upholding the determination but altering sanctions; or reversing the determination.
11. The EAC Chair files a final decision and notifies the Respondent and original Complainant regarding the outcome.

Filing of Completed Adjudication Cases

A completed file containing all forms and supporting documents is forwarded to the Executive Officer by the EAC and EAP chairs for confidential and secure storage at the close of the case.

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Definition of Terms:

Respondent(s):	The alleged offender(s) of the Ethical Standards of the Code of Ethics
Complainant(s):	The person(s) alleging that a violation occurred
EC:	The standing Ethics Committee of the Board of Governors. Charged with overseeing Ethics in the Academy
EAC:	Ethics Adjudication Committee – enforcement body of the Ethical Standards of the Code of Conduct
EAP:	Ethics Appeals Panel – an appointed panel handling all appeals resulting from a determination of the EAC
STAFF:	Staff Liaison at the Academy of Management Headquarters Office
EEC:	Ethics Education Committee – charged with handling ethics education in the AOM
Ombuds:	Neutral and Impartial first contact for all ethical matters for the Academy. Committee of three (3) Ombuds.
Code of Ethics:	An aspirational and enforceable Code reflecting the Academy’s stand on ethics in order to encourage members and other individuals to act ethically with integrity and responsibility in their professional lives.
Ethical Standards:	Enforceable standards of conduct applying to members in official Academy roles and members participating in Academy sponsored activities
AOM Activity(ies):	An AOM activity consists of the following entitlements of membership: Publications, the Annual Meeting, Professional Division and Interest Groups, Placement, AOM.org and related electronic services.
Head of Activity:	An appointed or elected head of an AOM activity such as an Editor, Division Chair, Director or Committee Chair.
Ethics Complaint Form:	Required form for filing of a formal complaint.
Ethics Appeals Form:	Required form for filing of an Appeal by the Respondent
Final Determination:	The final determination is prepared by the Ethics Adjudication Committee and contains the decision of the committee in regards to the adjudication of the complaint. The final determination includes the decision, any corrective actions and sanctions (if applicable) and further clarification of confidentiality as it applies to the determination. The final determination is subject to Appeal of the decision and/or sanction.
Sanctions:	Penalties imposed by the Ethics Adjudication Committee
Appeals:	Process by which the Respondent alleges error in the determination and/or sanction by the EAC.

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Timetables

Inquiry to Ombuds	No time limit
Completion of Ethics Complaint Form by Complainant	No time limit
Time period for filing from the alleged incident	Publications: 3 years Personal conduct: 6 months Fiduciary or other: 18 months

Preliminary screening of formal complaint by EAC Chair	
Time limit for response by Respondent to formal complaint	30 days
Adjudication: <ul style="list-style-type: none"> • Convene EAC • Dismiss, defer or deliberate case • Request or allow for additional comments or documents from Respondent and Complainant • Render final determination and report to Respondent and Complainant 	60 days
Option to appeal from receipt of final determination	30 days
Appeals process	120 days
TOTAL TIMEFRAME	90-120 days
Total Timeframe with Appeal	300 days