

## **NALMS Code of Conduct Implementation Plan at Events**

“Participant(s)” refers to all Event attendees, including media representatives, speakers, exhibitors, sponsors, staff, contractors, volunteers, organizers, and other guests.

“Reporter” refers to any person who reports a violation of the Code of Conduct and includes targets of the violation, bystanders, and witnesses.

“Event staff” refers to employees of NALMS; they are identified by a “staff” tag on their name badges at events.

“Investigators” refers to members of the NALMS Ethics Committee. If the primary investigator(s) is/are unavailable, or the subject of the allegation, secondary investigator(s) will follow up on the incident. Secondary investigators refers to any member of the NALMS Executive Committee.

### 1. Publicizing the Code of Conduct (the “Code”) at Events

- a. Post the Code on NALMS website and have copies available at the Event registration desk. Include the Code in printed program book and on event app.
- b. Require attendees to view the Code and agree to abide by provisions before completing Event registration.
- c. Post the Code on Event website, including reporting mechanisms, with an easily located link on the Event home page.
- d. Announce the Code at the opening plenary session. For example, "NALMS respects the opinions and viewpoints of attendees but will not tolerate harassment or abuse. When you signed up for our Event you agreed to abide by our Code of Conduct and we urge everyone to review and be familiar with it."

### 2. Advance preparation

- a. Event staff will have a good understanding of the Code.
- b. Event staff and investigators will be trained in how to respond when someone reports an incident. Training will be documented by the ethics committee, including training date, attendees, topics covered, etc. The ethics committee will document training(s) in their semi-annual report to the board.
- c. Investigators will be trained how to investigate incident reports.
- d. Compile information specific to the event:
  - i. Information on the best way to locate and contact Event participants quickly. Staff will request attendees’ cell phone numbers in registration forms. These numbers will remain confidential and will not be shared.
  - ii. Mechanism for quickly contacting Investigators. (Text enabled cellphone number, schedule of anticipated availability).
  - iii. Printed list of contact information for event staff, including investigators, in case individual making a report needs help later.
  - iv. Contact protocol for reporting breach(es) of the Code by staff.

- v. Contact information for venue security (May be different contact than iv above).
  - vi. Contact numbers for local police, crisis centers and other resources. NALMS' Conference coordinator will discuss contact list development with the venue security team in advance of the conference and provide to event staff in advance.
  - vii. Printed emergency help contact list.
- e. Designate a private, secure, and quiet space to conduct interviews that ensures discussions will not be overheard.

### 3. Incident reporting

- a. If event staff or investigators witness behavior that violates the Code, they must be prepared to issue a verbal warning to the violator, state that the behavior violates NALMS policies, and request that the behavior stop immediately. As needed, event staff or investigators will state that any further incidents may result in the violator being asked to leave the meeting. Code violations and resolution of the incident, including any verbal warnings issued, will be reported to the Ethic Committee Co-chairs immediately.
- b. Participants can report incidents verbally by notifying event staff, executive committee, or ethics committee, at the registration booth, or in writing by email, or by submitting the Online Complaint Form (attached). All incidents, including resolutions, should be recorded in writing by the Ethics Committee co-chairs during the Event, and reviewed by the Ethics Committee following the Event.
- c. The inbox for online complaints is monitored by Event staff and are forwarded as soon as possible to the Ethics and Executive Committee. If an online complaint is received by a person who is not one of the Investigators, then the Investigators will be notified immediately.
- d. When a participant reports an incident:
  - i. Offer the target a private place to sit. (The "target" may not be the same person who reported the violation.)
  - ii. Ask "Is there a friend or trusted person who you would like to be with you?" If so, arrange for someone to fetch this person.
  - iii. Assure them (and repeat as needed) that the incident and any reports will be kept confidential to the **best of our abilities**. This is crucial, because the primary reason targets are reluctant to report harassment is fear of being labeled a complainer or troublemaker.
  - iv. Take the time to listen and include time for silence. Use active listening to confirm you understand what the target or reporter is telling you. Take as much time as the person needs and wait until they are finished before offering suggestions or advice.
  - v. Ask them "How can I help?" DO NOT ask questions that imply or suggest a particular action or assign blame.
  - vi. Provide them with the list of emergency contacts provided by the venue

security in advance of the Event in case they need help later. Note that this list is guidance and that NALMS neither endorses any contacts listed or its comprehensive nature.

- vii. If the person receiving the report is not one of the Investigators, say, "If you're OK with it, I'll take this to the appropriate Investigator for follow up." This suggests that you are by default pursuing it and is not coercive. If they do not object, contact the Investigators immediately.
- viii. If emergency medical help is needed or if there is an immediate or emergent threat to the safety of attendees or others, or as required by the law, summon event security and/or police. In the absence of an emergent threat to safety, do not summon security or police without the target's permission.
- ix. Make a list of the actions you took and the timing of those actions. This may be used in the future if the incident escalates and the timing of the response comes into question.

#### 4. Investigation

- a. Planning stages for the investigation must be documented: who was interviewed and when and why; any other decisions regarding the investigative process; background information; and other documentation should also be noted.
- b. Investigators will conduct interviews as soon as possible after the allegation.
- c. Interviews are conducted by two investigators. One is designated as the interviewer, while the other serves as witness and note-taker.
- d. Order of investigation interviews
  - i. Reporter
  - ii. Target (if the reporter is not the target)
  - iii. Witness(es)
  - iv. Other individuals with relevant information or mentioned by reporter/target
  - v. Subject of allegation
  - vi. Individuals mentioned by subject of allegation
- e. Interview process
  - i. Emphasize that NALMS takes allegations very seriously and is interviewing all those involved including any witness(es).
  - ii. Explain that NALMS will do its best to keep details of the investigation confidential but may need to disclose case-related materials or information to authorities as stipulated by law.
  - iii. Explain that retaliation is a violation of the NALMS Code of Conduct.
  - iv. Ensure that interviews are fair and impartial: avoid leading questions, avoid the appearance of conflict of interest or favoritism, ask open ended and non-judgmental questions.
  - v. Explain that the purpose of the investigation is to allow NALMS to

gather information about what occurred. Detail that NALMS will take appropriate action and apprise the target, reporter, and subject of allegation of the results, as soon as possible.

- vi. If everyone is physically safe, involve law enforcement or security only at a target or reporter's request or with the target or reporter's consent or as required by law, regardless of target or reporters wishes.
- vii. Complete the complaint form, gathering as much information as possible. The most important information is listed on the complaint form.
- viii. Additional interview questions should be tailored to the actual incident but may draw from the attached Examples of Questions to ask each party.
- ix. Take thorough and contemporaneous notes during interviews. Audio recording is permitted if requested and all parties present consent. Investigators will provide audio recording equipment for use during the interview.
  - 1. Consent for audio recording, if applicable
  - 2. Identity of interviewers
  - 3. Name of interviewee
  - 4. Date, time, location
  - 5. Start, stop times; break times
  - 6. Questions and responses (facts exactly as told by interviewee)
  - 7. Observable credibility factors (demeanor; omissions or contradictions; corroboration)
- f. Formal interview memorandum is prepared from interview notes within one business day following any interview(s).

## 5. Resolution

- a. Investigators review all material to determine if the allegation constitutes a violation of the Code and decide on an appropriate action.
  - i. Interviews
  - ii. Documentation
  - iii. Credibility assessments
    - 1. Inherent plausibility.
    - 2. Motive.
    - 3. Credibility factors observed during interviews.
    - 4. Prior conduct of reporter and subject of allegation.
    - 5. Corroboration or lack thereof.
  - iv. Type, level, and frequency of conduct.
  - v. Prior disciplinary precedent for identical, similar, or analogous conduct.
- b. If the Investigators agree that the allegation does not constitute a violation of the

Code, then the target/reporter and subject of allegation will be notified immediately, and the allegation dismissed.

- c. If the Investigators agree that the allegation constitutes a violation of the Code of Conduct, then the incident report will be forwarded to the Executive Committee for prompt action.
    - i. Corrective actions may include, but are not limited to, verbal warning; barring the accused from a reporter's talk; expulsion from the Event; expulsion from the Event with no refund of any associated fees; barring from future NALMS Events; and/or notifying appropriate authorities. At least three investigators from the primary and secondary pool will review the Investigators' materials and agree to appropriate corrective action. If there are conflicts of interest among the Investigators, then a subset of the Board of Directors may assist with determining corrective actions.
6. Final investigatory report will depend on severity of offense.
- a. Reports requiring immediate action will be sent to the Executive Committee
  - b. Reports dealing with less serious offenses will be sent to the Ethics Committee
  - c. Reports with redactions, if needed, will be sent to the Board of Directors.
  - d. All report(s) should contain:
    - i. Description of complaint.
    - ii. Investigative steps taken (policy, identities of all people interviewed, evidence reviewed).
    - iii. Summary of interview accounts.
    - iv. Credibility determination.
    - v. Findings.
    - vi. Final disposition of complaint (i.e., corrective action taken).
7. Post-incident communication
- a. Any post-incident communication should consider the privacy and confidentiality of the participant(s).
  - b. The results of the investigation should be communicated to the target and subject of the allegation. Results or lack thereof will be reported to witnesses on a case-by-case basis.
  - c. Monitor social media. NALMS will not post any incident details to social media and will request that participant(s), reporter, and any witness(es) refrain from posting about the incident.
  - d. Depending on the incident, NALMS may decide to make one or more public announcements. The NALMS Executive Committee will determine if a public announcement is necessary and the mechanism for said announcement (event app, verbal during meal, social media, etc). If necessary, this should be done with a short announcement through an appropriate channel.
  - e. If some participants are angered by the incident, it is best to apologize to them on

behalf of NALMS that the incident occurred to begin with. If there are residual hard feelings, suggest that they send an email to the Executive Committee and they will respond as quickly as possible.

## NALMS Online Complaint Form for Events

You may use this form to report inappropriate conduct at a NALMS event. Violations of the NALMS Code of Conduct are taken seriously. Please share as much information as you can to help us undertake a thorough investigation. Incidents will be investigated and addressed promptly and with discretion. NALMS will maintain the confidentiality of materials relevant to this report to the extent practicable. Anonymous reports are not accepted, as they cannot be acted upon. Upon request, your identity will remain confidential.

### Reporter information

Name (Your name, required)

Telephone number where you can be reached

Email address

**Note:** Anonymous reports are not accepted, as they cannot be acted upon.

Name (if known) of person you believe exhibited inappropriate conduct

Name (if known) of the person you believe was the target of inappropriate conduct.

Date of incident

Time of incident

Location of incident

Would you be ok with a follow-up for additional questions (if necessary)? \_\_\_ Yes \_\_\_ No

If the alleged conduct was toward another person, identify that person

Please provide a brief description of the incident(s) that you consider violated the Code. Include the nature of misconduct, verbal statements (threats, requests, demands, etc.), and what, if any, physical contact was involved.

Names of, or descriptions of witness(es), if any:

By signing below, I certify that all information provided above is true and accurate to the best of my knowledge and that this statement is made in good faith.

E-Signature\_\_\_\_\_

Date\_\_\_\_\_

## Example Questions to Ask Parties and Witnesses

*Adapted from U.S. Equal Employment Opportunity Commission, Questions to Ask Parties and Witnesses, <https://www.eeoc.gov/policy/docs/harassment.html>*

### Reporter:

- Who, what, when, where, and how: *Who* committed the alleged conduct? *What* exactly occurred or was said? *When* did it occur and is it still ongoing? *Where* did it occur? *How often* did it occur? *How* did it affect you?
- How did you react? What response did you make when the incident(s) occurred or afterwards?
- Are there any persons who have relevant information? Was anyone present when the alleged incident occurred? Did you tell anyone about it? Did anyone see you immediately after episodes of alleged incident?
- Are there any notes, physical evidence, or other documentation regarding the incident(s)?
- Do you know of any other relevant information?

### Witnesses:

- What did you see or hear? When did this occur? Describe the subject of the allegation's behavior toward the reporter and toward others (if known).
- What did the reporter tell you? When did s/he tell you this?
- Do you know of any other relevant information?
- Can you think of anyone else who may have relevant information?

### Subject of allegation:

- Start the interview with a question that limits the details: "We've had a report about your behavior at (date, time, location). Can you tell us what happened?" They may claim to not remember or understand what you are asking about. Feed them details until they realize what you are asking them about. Get as much as you can in their own words rather than telling them what happened.
- What is your response to the allegations?
- If the subject of the allegations claims that the allegations are false, ask if he or she can think of a reason that the reporter would make the complaint.
- Are there any persons who have relevant information?
- Are there any notes, physical evidence, or other documentation regarding the incident(s)?
- Do you know of any other relevant information?