

## **PROCESS FOR DISPOSITION OF ETHICAL VIOLATION**

*(Applies only to individuals holding membership in North America  
or who are at-large members of The IIA.)*

In an effort to provide fairness to all members facing membership disqualification for violation of The IIA Code of Ethics, The IIA has established the following ethics policy, which provides members the right to respond to an ethical violation before revocation of membership rights. Below is a detailed description of how the process works.

1. **Filing a Complaint.** Complaints must be submitted in writing using the *Complaint of Alleged Violation of The IIA Code of Ethics Form* (Attachment A). The completed complaint form must include a written attachment that includes the information and facts on which the complaint is based and any additional documentation and other evidence that corroborates and supports the allegations. The complaint must be signed, in writing, and e-mailed to [ethics@theiia.org](mailto:ethics@theiia.org) or delivered via postal mail to the address provided on the complaint form. The IIA does not accept anonymous complaints, nor does it accept complaints filed verbally or facsimile. While The IIA may make reasonable accommodations to protect the identity of the complainant if appropriate and requested, The IIA cannot guarantee anonymity in any case.

2. **Initial Review.** The Office of General Counsel shall review the complaint and assign the complaint to the Ethics Officer, or designee. The Ethics Officer shall review the ethical complaints. The initial review must be completed within a reasonable amount of time. Upon completion of an initial review and determination by the Ethics Officer that an investigation is warranted, the Ethics Officer, or designee, shall draft an opening letter to the individual involved (the “**Respondent**”). Throughout the ethics process, The IIA’s professional staff is responsible for maintaining the confidential case files and may assist the Ethics Officer with paperwork, notifications, correspondence, and other administrative tasks.

3. **Opening Letter.** The opening letter may be sent by e-mail, certified mail, or facsimile to the Respondent’s last known address, return receipt requested and should:

- a) inform the Respondent of the role of the Ethics Officer and describe the purpose of the investigation;
- b) identify the alleged action and the section of the ethics code that is subject to the investigation;
- c) ask for a detailed description of the Respondent’s participation and involvement in the activities that are the subject of the investigation;
- d) offer the Respondent a meeting or call to discuss the matter;
- e) provide a reasonable time to respond; and

- f) state that the Respondent may be represented by another person or consult other individuals of their choosing.

4. Response Time. Before action can be taken to revoke a membership for an ethics violation, the Respondent will be given the reasonable opportunity to respond to the charges. Reasonable opportunity means at least thirty (30) calendar days.

5. Hearing Officer. The Ethics Officer shall serve as the Hearing Officer. Should the Ethics Officer personally conduct an extensive investigation a conflict may arise. In such case, the Office of General Counsel will appoint a Hearing Officer to perform the duties in Section 6 through 11.

6. Hearing. The Hearing Officer will set a hearing date for a conference call ("Hearing"). The hearing date must be set at a reasonable time after notice, which is determined solely by The IIA. The Respondent may waive the Hearing.

7. Notice. The Hearing Officer must send a notice to Respondent. The notice will inform the Respondent of a) the specific sections of the ethics code alleged to have been violated; b) hearing date; and c) opportunity to be heard. The notice shall be sent by e-mail, certified mail, or facsimile, to the last known address of the Respondent, return receipt requested.

8. Schedule. The Respondent must provide a written response ("Answer") to the charges not later than ten (10) days prior to the date of the Hearing, addressed to the Hearing Officer and sent by e-mail, certified mail, or facsimile.

9. Hearing Call. The Hearing shall be conducted by the Hearing Officer through the conference call.

10. Hearing Procedure. The Hearing Officer will introduce the parties and give a brief explanation of the purpose of the Hearing and how it should proceed. The Hearing Officer will present the alleged ethics code violation on behalf of The IIA. The Hearing Officer will then allow the Respondent to speak in defense of the Respondent's Answer. Upon completion of the Respondent's testimony, the Hearing Officer may ask the Respondent questions. Once the Hearing Officer is satisfied with the oral testimony of the Respondent, the Respondent will be dismissed from the conference call.

11. Determination. The Hearing Officer shall review the evidence and determine whether the Respondent's membership privileges will be revoked. Hearing Officer must provide to Respondent a written decision within a reasonable amount of time after the Hearing. The Hearing Officer may:

- a) issue a letter of warning or reprimand;

- b) require attendance at an ethics seminar or other training as a condition of membership;
- c) place the Respondent on probation or suspension;
- d) expel the Respondent from membership; or
- e) invoke other disciplinary decision that may be deemed appropriate.

12. Appeal. The written decision may be appealed to The IIA's *Vice President of Standards and Guidance* ("Appeals Officer") by the Respondent.

13. The Respondent must provide a written appeal ("Appeal") within fourteen (14) calendar days after receiving the Hearing Officer's written decision. The Appeal must address procedural errors or factual errors that may have occurred during the Hearing. The Appeal may not introduce new factual information.

14. Appeal Hearing. The Appeals Officer, or designee, will set a hearing date for a conference call ("Appeal Hearing"). The Appeal Hearing date must be set at a reasonable time after notice, which is determined solely by The IIA.

15. Appeal Call. The Appeal Hearing shall be conducted by the Appeals Officer through the conference call.

16. Appeal Procedure. The Appeals Officer will introduce the parties and give a brief explanation of the purpose of the Appeal Hearing and how it should proceed. The Respondent will present the testimony regarding the Appeal. Upon completion of the Respondent's testimony, the Appeals Officer may ask the Respondent questions. The Appeals Officer may allow the Ethics Officer to respond to the Respondent's testimony. Once the Appeals Officer is satisfied with the oral testimony, the Respondent, the Hearing Officer, and the Ethics Officer will be dismissed from the conference call.

17. Appeal Decision. The Appeals Officer shall review the evidence and determine whether the Ethics Officer's Decision will be upheld or reversed. The Ethics Officer must provide to Respondent a written decision ("Appellate Decision") within a reasonable amount of time after the Hearing.

18. Final Decision. The Appeals Officer's decision will be final. Decisions are not public records.

## Attachment A

### **Complaint of Alleged Violation of The IIA Code of Ethics Form**

A copy of this complaint form and any attachments may be provided to the individual against whom the complaint is filed. The complaint must be signed, in writing, and e-mailed to [ethics@theiia.org](mailto:ethics@theiia.org) or delivered via postal mail to the address provided on this form to the attention of **Office of General Counsel**. The IIA does not accept anonymous complaints or complaints filed verbally or via e-mail or facsimile. While The IIA may make reasonable accommodations to protect the identity of the complainant if appropriate and requested, The IIA cannot guarantee anonymity in any case. The IIA's Code of Ethics and other ethics related information is available at <https://global.theiia.org/standards-guidance/mandatory-guidance/Pages/Code-of-Ethics.aspx>.

DATE: \_\_\_\_\_

#### COMPLAINANT (Individual filing the complaint)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail : \_\_\_\_\_

#### RESPONDENT (Individual against whom this complaint is directed)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail : \_\_\_\_\_

**COMPLAINT DOCUMENTATION:** Summarize in a written attachment the facts on which this complaint is based and enclose copies of all materials and other evidence that corroborate and support the allegations.

**REPORTS TO OTHER ENTITIES:** If you have filed a complaint about this same matter to another agency add an attachment showing to whom it was submitted, the approximate date(s), and whether/how the matter was resolved.

**COMPLAINANT'S SIGNATURE:** I affirm that the statements/information within this complaint are correct and truthful to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

Approved February 12, 2014