

## **CERF Event Code of Conduct Implementation Plan**

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

“Reporter” may refer to anyone who reports a violation of the Code of Conduct, including targets of the violation, bystanders, and witnesses.

“Event staff” are employees of CERF and SBI Association Management; they are identified by a “staff” tag on their name badges.

“Investigators” are the CERF Executive Director and Chief Operating Officer. If either of the primary investigators are unavailable or the subject of the allegation, secondary investigator(s) are any members of the CERF Executive Committee.

1. Publicizing the Event Code of Conduct (the “Code”)
  - a. Post Full Code on CERF website
  - b. Require attendees to view Full Code and agree to abide by provisions before completing meeting registration
  - c. Include Full Code in Program book
  - d. Post Full Code on Conference website, including reporting mechanisms, with an easily located link on the conference home page
  - e. Display Abbreviated Code, including reporting mechanisms, prominently at Conference, e.g. on placards throughout the meeting venue and on slides between sessions
  - f. Include Statement on conference promotional material, e.g. as footer on announcement emails
  - g. Announce the code of conduct at opening plenary session
2. Advance preparation
  - a. Event staff have a good understanding of CERF’s policies on Conduct
  - b. Event staff are trained in how to respond when someone reports an incident
  - c. Investigators are trained in how to investigate incident reports
  - d. Compile information specific to the event:
    - i. Information on the best way to locate and contact conference participants quickly (e.g., paging system in mobile app, request cell phone number of participants in registration form)
    - ii. Mechanism for quickly contacting Investigators
    - iii. Printed list of contact information for event staff, including investigators, in case individual making a report needs help later
    - iv. Contact information for venue security
    - v. Hotline number for nearest rape crisis center
  - e. Designate a space for interviews that ensures privacy in a quiet location where discussion will not be overheard
3. Incident reporting
  - a. If event staff witness behavior that violates the Code, they must be prepared to issue a verbal warning to the violator. State that the behavior violates CERF

policies, request that the behavior stop immediately, and state that any more incidents may result in the violator being asked to leave the meeting. Verbal warnings should be reported to the Investigators as soon as possible.

- b. Participants can report incidents verbally by notifying event staff at registration booth or in writing by submitting the Online Complaint Form (attached)
  - c. The inbox for online complaints is monitored by SBI Association Management staff and are forwarded as soon as possible to Event staff. If an online complaint is received by a person who is not one of the Investigators, then the Investigators are notified immediately.
  - d. When a participant reports an incident:
    - i. Offer the target a private place to sit
    - 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, including leaving time for silence. Use active listening to confirm that you understand what the reporter is telling you. Take as much time as the reporter 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, for example "Should I call security?" or "Should I call the police?"
    - vi. Provide them with the list of emergency contacts in case they need help later
    - 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 Executive Director (or appropriate Investigator) for action." 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, summon event security or police. In the absence of an emergent threat to safety, do not summon security or police without the target's permission.
4. Investigation
- a. Planning stages for the investigation must be documented: who was interviewed and why; any other decisions regarding investigative process; background information; and other documentation
  - b. Investigators conduct interviews as soon as possible after allegation
  - c. Interviews are conducted by two investigators. One is designated as the interviewer, and the other as witness and note-taker
  - d. Order of investigation interviews
    - i. Reporter
    - ii. Target (if the reporter is not the target)
    - iii. Witnesses

- iv. Other individuals with relevant information or mentioned by reporter
  - v. Subject of allegation
  - vi. Individuals mentioned by subject of allegation
  - e. Interview process
    - i. Emphasize that CERF takes allegations very seriously and is interviewing all those involved and potential witnesses
    - ii. Explain that CERF will do its best to keep details of the investigation confidential, but may need to disclose case-related materials or information
    - iii. Explain that retaliation is a violation of the CERF 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 CERF to determine what occurred, and that CERF will take appropriate action based on its determination, and will apprise the reporter and subject of allegation of the results
    - 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
    - vii. If physical assault is reported, provide information on how to contact the nearest rape crisis center and the National Sexual Assault Hotline. The reporter should be the one to make the decisions about contacting this resource.
    - viii. The most important information to gather is listed on the complaint form
    - ix. Additional interview questions should be tailored to the actual incident, but may draw from the attached Examples of Questions to ask each party
    - x. Take thorough and contemporaneous notes during interviews
      - 1. Identity of interviewers
      - 2. Name of interviewee
      - 3. Date, location
      - 4. Start, stop times; break times
      - 5. Questions and responses (facts exactly as told by interviewee)
      - 6. Observable credibility factors (demeanor; omissions or contradictions; corroboration)
  - f. Formal interview memorandum is prepared from interview notes immediately following interview
5. Resolution
- a. Investigators review all material to determine whether allegation constitutes a violation of the Code of Conduct and 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 of Conduct, then the 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 Investigators will take appropriate and 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 conference fees; barring from future CERF 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 Governing Board may assist with determining corrective actions.
  - ii. In accordance with the CERF Bylaws, serious violations of the CERF Code of Conduct is grounds for member suspension, termination, or expulsion by the affirmative vote of a majority of the Board
6. Final investigatory report
  - a. Investigative steps taken (policy, identities of all people interviewed, evidence reviewed)
  - b. Description of complaint
  - c. Summary of interview accounts
  - d. Credibility determination
  - e. Findings
  - f. 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 participants.
  - b. The results of the investigation should be communicated to the reporter and subject of the allegation.
  - c. When speaking about the incident to individuals who are aware of the incident, but were not directly involved with it, give as few details as possible.
  - d. Monitor and, if necessary, moderate posts to social media to protect the confidentiality of those involved.
  - e. Depending on the incident, CERF may decide to make one or more public announcements. If necessary, this should be done with a short announcement either during the plenary and/or through other channels.
  - f. If some participants were angered by the incident, it is best to apologize to them on behalf of CERF that the incident occurred to begin with. If there are residual hard feelings, suggest that they send an email to the Executive Director and they will respond as quickly as possible.

## CERF Online Complaint Form

You may use this form to report inappropriate conduct at a CERF event. Violations of the CERF Event Code of Conduct are taken seriously. Please share as much information as you can to help us make a thorough investigation. Incidents will be investigated and addressed promptly and with discretion. CERF 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.

### Reporter information

Name (Your name, required)

Telephone number where you can be reached

Email address

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

Date of incident

Time of incident

Location of incident

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

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

Names of witnesses, 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?
- How did the incident affect you?
- 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)?
- How would you like to see the situation resolved? How can we help?
- 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?