

## **Ethics related changes**

**Rationale:** IEEE-SA is open to participation by individuals that are not members of the Institute. myProject, standards meeting registration, and meeting attendance collection will require that participants acknowledge they shall abide by the IEEE Code of Ethics; there is no way to enforce the requirement. The IEEE Ethics and Member Conduct Committee is only empowered to hear ethics complaints against IEEE members. Because standards development includes non-members, to enforce adherence to the Code of Ethics there must be a mechanism to submit complaints against any participant in IEEE-SA, judge the complaints, and establish penalties for violations of the Code of Ethics.

**Summary:** The below changes propose establishment of a Standards Conduct Committee under the IEEE-SA BOG to hear ethics complaints against IEEE-SA participants. The structure is modeled on the IEEE Ethics and Member Conduct Committee and references its procedures. Penalties are restricted to suspension or revocation of IEEE-SA participation privileges. The changes are intended to cover both individual and entity projects.

## **IEEE Standards Association Operations Manual**

### **6.6 Suspension or revocation of IEEE-SA participation privileges**

Independent of any conduct or action related to IEEE or IEEE-SA membership, any IEEE-SA participant may have IEEE-SA participation privileges suspended or revoked. A participant includes an individual, an entity representative, or an entity participating directly or indirectly in an individual or entity IEEE-SA project. This suspension or revocation may occur for any of the following reasons:

- a) Failure to conform with the provisions of the *IEEE Bylaws*, the *IEEE-SA Operations Manual*, the *IEEE-SA Standards Board Bylaws*, the *IEEE-SA Standards Board Operations Manual*, or the specific procedures of the Sponsor or working group
- b) Any unethical or unlawful conduct unbecoming a participant in IEEE-SA or compromising the integrity of the IEEE or the IEEE-SA

#### **6.6.1 Standards Conduct Committee**

The IEEE-SA President shall appoint a Standards Conduct Committee, consisting of a chair, two members, and three alternates. The chair and members will review all notices and material as provided in 6.6.2. If a member is recused, then the chair shall appoint one of the alternates to serve. If the chair is recused, then the IEEE-SA President shall appoint a chair from the committee members or alternates. Alternates do not vote unless named to replace a recused member or Chair. References to the Standards Conduct Committee in the remainder of 6.6 refer to those who will hear and act on the matter.

#### **6.6.2 Procedure for suspension or revocation of IEEE-SA privileges**

A person who has observed or otherwise become aware of conduct that would constitute grounds for suspension or revocation of IEEE-SA participation privileges may provide notice by fax, email, or letter (Notice) of such conduct to the IEEE-SA BOG Secretary. Upon being informed of an event, the Secretary shall assess the information received to determine whether additional information is needed from either the complainant or the participant who is the subject of the complaint. When the receipt of satisfactory information is confirmed by the Secretary, the Secretary shall send the material to the Standards Conduct Committee. Upon receipt of the material, the Standards Conduct Committee shall determine whether to conduct further proceedings.

If the Standards Conduct Committee determines that further proceedings are warranted, then the participant and the complainant will be informed of the meeting date and given an opportunity to attend the meeting. If the participant or complainant desires to provide a statement and/or to submit supplementary documentation to the Standards Conduct Committee prior to the meeting, they may do so through the IEEE-SA BOG Secretary.

After considering information described in the Notice, included in the participant's response, or presented at the hearing, the Standards Conduct Committee shall determine whether to recommend discipline. The Standards Conduct Committee may recommend suspension or revocation of the participant's IEEE-SA participation privileges upon an approval vote of two-thirds of the committee. If the Standards Conduct Committee recommends discipline, then the recommendation shall be forwarded to the IEEE-SA BOG. Suspension or revocation of participation rights or other disciplinary actions shall require the approval vote of two-thirds of the BOG members present and voting. Suspension of participation rights shall indicate the terms of the suspension.

If the person is an IEEE member, the IEEE Ethics and Member Conduct Committee shall be notified of the Standards Conduct Committee decision.

### **6.6.3 Suspended and revoked participant rights**

A participant may appeal suspension or revocation of IEEE-SA privileges by notifying the IEEE-SA BOG Secretary within ten days of being advised in writing of such action. Upon receipt of such appeal, the IEEE-SA President shall schedule a hearing at the next meeting of the IEEE-SA BOG to hear the appeal under such procedures as it shall determine in advance thereof, provided the next IEEE-SA BOG meeting is at least 30 days after receipt of such appeal. The procedures of the IEEE Ethics and Member Conduct Committee shall be referred to for guidance.

A participant who is suspended or otherwise disciplined under these procedures shall have no legal claims against IEEE or IEEE-SA. A participant whose IEEE-SA privileges are revoked shall not be admitted to membership in the IEEE-SA or permitted to participate in its activities unless granted approval by the IEEE-SA BOG.

### 5.2.1 Participation in IEEE standards development

Participants in IEEE standards development ~~are expected to~~ shall act based on their qualifications, beliefs, and experience. All participants in IEEE standards development are expected to be familiar with, and act in accordance with, the IEEE Code of Ethics. IEEE Standards Sponsor chairs and Sponsor liaison representatives shall be members of IEEE-SA and shall also be either IEEE members of any grade or IEEE affiliates.

### 5.4 Appeals

c) That claims based solely on ethical considerations will not be considered by the IEEE-SA Standards Board. The appellant shall be advised to bring such claims to the attention of the IEEE Ethics and Member Conduct Committee or the Standards Conduct Committee, as appropriate.

### Sponsor ballot changes

**Rationale:** The work on dominance, openness, and affiliation that has preceded addresses the standards development process and working group dominance. The Sponsor ballot process is also an area where either negative or positive dominance may be attempted.

**Summary:** The below changes add declaration of affiliation to joining a Sponsor ballot, and also add a requirement for Sponsor review of the ballot group for potential dominance in addition to review for balance.

### IEEE-SA Standards Board Bylaws

#### 5.2.2.2 Sponsor responsibility/accountability

The Sponsor accepts responsibility for oversight of any of its assigned standards, including overseeing coordination, balloting, and making annual activity reports to the IEEE-SA Standards Board.

[snip]

#### 5.2.2.3 Sponsor balloting group

Potential dominance in Sponsor ballots as evidenced by an unduly high proportion of individuals employed by or affiliated with a single entity ~~from a single firm and/or organization~~ or from a particular balloting classification is unacceptable, counter to open and fair participation by all interested parties, and deprecated by the IEEE-SA Standards Board. All individuals joining a ballot group shall declare their employer and affiliation (see subclause 5.3.3.1 of the *IEEE-SA Standards Board Operations Manual*). The Sponsor shall review the ballot group for balance and possible dominance. If it is determined that the ballot group may be dominated (see 5.2.1.3), the Sponsor shall recommend remedial actions to the IEEE-SA Standards Board to ensure a fair and open ballot. The IEEE-SA Standards Board may also take action independent of any Sponsor recommendation.

The balloting group shall consist of persons who are members of the IEEE-SA and non-IEEE-SA members. A person is an individual or entity. An entity can be any for-profit or not-for-profit

enterprise, as defined in IEEE Bylaw I-403. In addition, with the approval of the IEEE-SA Standards Board, invited individual experts who are non-IEEE-SA members may participate in ballots of proposed IEEE standards. A single type of balloting group for a standard, based on the type of sponsorship, shall be established at the time of PAR approval and officially approved prior to the formation of a balloting group. A statement of the type of balloting membership to be used shall be included in all versions of the draft standard and the final approved standard.