



PROFESSIONAL PHOTOGRAPHERS OF MASSACHUSETTS

PROCEDURES FOR ADDRESSING ETHICS QUESTIONS

Intent

It is PPAM's policy to support and uphold the highest professional imaging and ethical standards. This policy extends to each member and encompasses that member's dealings with the Association, its members, and competitions. This policy also encompasses each member's dealings with their vendors, suppliers, clientele and the public.

PPAM is committed to upholding its reputation and that of its members by enforcing this policy against any member action, whether ethically, civilly or criminally questionable, that may portray the Association or its members in a negative way.

Once begun, the Due Process will continue regardless of membership status.

Procedure for Submitting a Claim

Any individual or individuals can make an ethics complaint about a member. Complainants do not need to be made by PPAM members.

Complaints must be received in writing and will be accepted into the official record of the proceeding. When submitting a complaint, the complainant should first show physical evidence that they tried to come to a resolution with the Subject on their own. No action can be initiated until a signed, written complaint is received.

The PPAM President and the PPAM Executive Council Parliamentary/By-Laws Chairperson or their representatives are responsible for investigating a complaint received against a member.

The PPAM Ethics Committee (PEC) shall withhold rendering a decision on an ethics complaint if there is pending civil or lower court litigation. The PEC will consider ethics complaints after adjudication.

When the PEC is made aware of an information filing or a criminal indictment against a PPAM member, the Committee is to notify the Board of Directors. The President of the Board shall notify the member of his/her automatic suspension until the member can show due cause why the member should not be suspended. Upon the rendering of a legal decision, an ethics case can be instituted

Procedure for Following Up on a Complaint

The PPAM President has the right to determine if the case has merit. If it is determined that the case has merit, within 21 days of PPA receiving a complaint, the PPAM President will notify the member accused

(Subject) via certified mail. The certified return mail stub becomes part of the official case file. This notification may, or may not, include the Complainant's name, depending on circumstances. The Subject notification should include:

- The specific charges or allegations
- The purpose of PPAM's Ethics Policy
- An explanation of possible actions
- A request for a response to the charges or allegations to be received within 14 days of
- The delivery of this notification
- Any other information pertinent to the case

The Subject will be given 14 days to respond in a signed writing to the charges or allegations outlined. If no response is received, the PPAM President will assume the Subject has no response and will continue with the process.

If a response is received, the PEC has a minimum of 21 days to conduct follow up interviews to determine whether a hearing should be held. At this point, the committee may decide:

- A. To discontinue any further action and end the process. If this is the case, the committee should notify the Subject and Complainant that there is not sufficient cause to continue, and extend the Association's appreciation to all parties for their input.
- B. To continue the process and schedule a hearing. The hearing shall consist of the PPAM President and two (2) non-officer PPAM members, (with at least one being a past PPAM President).

The hearing may be convened at the *expense of the Complainant*.

NOTE: The PEC is permitted to suspend the accountability time line or investigation of a case if there is a compelling reason to do so.

Conducting a Hearing

NOTIFICATION	Notification that a hearing has been scheduled should be sent promptly to the Subject and Complainant via certified mail. The return mail stubs are to become part of the official case file.
VENUE:	The hearing may be held in person or by telephone conference call. If the decision is made to hold the hearing in person, every effort should be made to accommodate all parties. PPAM is not responsible for travel costs if Subject or Complainant choose to attend the hearing.
THOSE ATTENDING:	It is NOT necessary for the Subject or Complainant to attend the hearing in person. Either or both may be invited to attend by telephone conference call. Lack of attendance by any party will not be considered in the committee's deliberations. They may present witnesses at their own expense, if they so choose. The Subject may also choose to be represented by counsel, at his own expense. At least three hearing members (as described above) must be in attendance; however, some members may participate by telephone conference call. If obtaining a majority is not possible because of absences, the President may appoint others as substitutes.

- EVIDENCE:** Materials and evidence that could have a bearing in the hearing should be distributed to the committee and Subject at least 14 days prior to the hearing.
- PROCEDURE:** The PPAM President conducts the hearing. If the PPAM President is unable to attend, one of PPAM's Vice Presidents will conduct in the President's stead.
- The PPAM President will review the complaint with the committee and submit any related materials.
- If the Complainant is in attendance, the PPAM President will call on the Complainant to add additional appropriate information. Committee members will then be given the opportunity to ask questions of the Complainant.
- If the Subject is in attendance, the PPAM President reviews the complaint with the Subject. The Subject is then invited to respond to the complaint. Committee members will then be given the opportunity to ask questions of the Subject. The Subject and Complainant are excused.
- The PPAM President invites comments from the committee. After sufficient deliberation, the PPAM President may entertain a motion from any member of the committee.

Possible Findings

The PEC may recommend to the Board of Directors imposition of a number of penalties in cases where an ethics violation is found. Those penalties include:

- A. No action
- B. Censure. The Subject may be publicly reprimanded for specified conduct for violation of the Code of Ethics or for other just cause.
- C. Suspension. The Subject is removed from active membership during suspension. Existing merits, degrees and certification, if applicable, are also suspended. Payment of membership dues is still required during the period of suspension. The Subject may not participate in competitions, speak at PPAM events, reference or advertise PPAM membership or certification, nor hold leadership positions. Suspension shall last until such time as recommended by the PPAM Hearing Board and approved by the Board of Directors.
- D. Termination. The Subject's membership is revoked, resulting in the loss of merits, degrees and certification. A time period after which the Subject may reapply MAY be attached in this case.

Once a decision and recommendation have been reached, the PEC will notify the Subject and Complainant on PPAM letterhead via certified mail. The certified return mail stub becomes part of the official case file. A copy of the letter is sent to the President for communication to the Board of Directors. The notification should specifically outline the findings of the committee, the penalty recommended (if any), and should carefully outline the appeals process.

Appeal Process

The Appellant may ask to appeal the committee's decision and recommendation by making that request in a signed writing to the President within 14 days of receipt of notification. The President will schedule a hearing to occur during the next regularly scheduled meeting of the Board of Directors.

During the appeal hearing, the Board of Directors will review the written proceedings of the hearing as well as any written or recorded responses from the Subject. The Subject may choose to appear in person at his own expense, or to appear via telephone conference call.

The Board is given the opportunity to discuss the case. After sufficient deliberation, the President may entertain a motion.

The Board may decide:

- A. To reverse the findings of the PEC
- B. To uphold the findings of the PEC
- C. To alter the penalty recommended by the PEC

The President is responsible for notifying the Subject via certified mail of the Board's decision, which shall be final. The certified return mail stub becomes part of the official case file.



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Ethics Complaint Form

1. Your name (Complainant's) _____
2. Name & address of the Subject of the Complaint _____

3. Your reason for filing the complaint (if this has already been outlined in a written and signed complaint, please state so) _____

4. What, if anything, has been done to resolve the complaint? _____

5. How would you (the Complainant) like to resolve the matter? _____

6. Please attach additional supporting information _____

Return Form to PPAM President (See www.ppam.com for current address)