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EERI CODE OF CONDUCT

Investigation & Accountability Procedures

These procedures aim to ensure the following values embodied in the EERI Code of Conduct, posted at <https://www.eeri.org/about-eeri/bylaws/code-of-conduct>, are upheld and reinforced:

- That those who experience harm or who witness potential violations of the EERI Code of Conduct (EERI Code) while participating and collaborating within EERI are encouraged to report what they have experienced and observed so that the reported conduct may be promptly addressed in a confidential manner that limits retaliation;
- That those accused of potential Code violations have the opportunity to respond to the report of prohibited conduct in an evidence-based, procedurally fair process and have their response considered by neutral and unbiased decision-makers;
- That the consequences for engaging in prohibited behavior are proportional to the harm caused and play a preventative role in protecting the safety of community members and promoting the desired organizational culture of care;
- That EERI's process for addressing reported violations of the Code is transparent, simple to use, promotes reporting, limits the spread of rumors and innuendo, and is procedurally fair to all involved parties.

The procedures are based upon best practices adopted by similar organizations to implement and enforce organizational codes of conduct:

- promptly after harm is observed or reported;
- efficiently without excessive burden to the parties or decision makers;
- effectively to deter harm and promote a safe, welcoming community.

Procedure for reviewing reported violations

1. Either the Executive Director (Heidi Tremayne) or the Safe EERI Consultant (currently Paula Brantner) receives a report through one of the various available reporting channels.
2. The Executive Director or the Safe EERI Consultant notifies the other, along with the Code of Conduct Review Committee, that a report has been submitted, with information shared as minimally necessary to maintain safety and confidentiality or to minimize further escalation of conflict.

3. Once a report is received, the Safe EERI Consultant will conduct a preliminary investigation to determine whether the reported conduct is a potential violation of the Code. The Safe EERI Consultant will also conduct preliminary investigations upon request of the Executive Director, the Code of Conduct Review Committee, or an EERI officer, particularly when a conflict of interest is present or upon the reporting party's request that the Safe EERI Consultant initiate the investigation.
4. Some reported conduct can be handled without additional investigation or a formal investigation process, particularly when the reporting party does not wish to proceed with a formal report or when the nature of the matter lends itself to being handled immediately.
5. When the preliminary investigation is complete, the Safe EERI Consultant will recommend to the Code of Conduct Review Committee whether a full investigation should occur, keeping the identity of the parties anonymous. The Code of Conduct Review Committee will consider any conflicts of interest and identify alternate committee representatives if needed. Code of Conduct Review Committee members agree to keep the parties' identities (if known) confidential.
6. If the Code of Conduct Review Committee recommends a full investigation, the Executive Director or their designee will notify the accused, who will have seven days to respond.
7. If a full investigation is recommended, EERI may place an immediate hold on the accused's participation in EERI, who will not be permitted to participate in meetings and events until the investigation is complete.
8. The Safe EERI Consultant will conduct a full investigation, involving the Executive Director as appropriate, to include interviewing parties and witnesses and reviewing relevant documents.
9. When the investigation concludes, the Safe EERI Consultant will prepare an investigation report for the Code of Conduct Review Committee's consideration, keeping the identity of the parties anonymous to the extent possible.
10. The Code of Conduct Review Committee will discuss the report, deliberate on consequences, and make a recommendation as to whether the code has been violated. The "more likely than not" standard will be used to determine whether the evidence supports a finding that the Code has been violated.
11. The Code of Conduct Review Committee will issue a determination with consequences for any member found to have violated the Code. The Executive Director or their designee will notify all parties in writing of the outcome.
12. A participant found to have violated the Code and subject to consequences for their membership or participation in EERI may submit a petition for reconsideration to the Code of Conduct Review Committee on the following grounds:
 - the conduct was wrongly decided to have violated the Code;
 - or bias or misconduct affected the outcome;
 - or the consequences were disproportionate to the seriousness of the violation.

13. A petition of 500 words or less, with justification for the appeal and new evidence or a narrative explaining why previous evidence should be reconsidered, must be submitted to the Code of Conduct Review Committee within seven days of the notice date. The reconsideration decision will be final, and if denied, any consequences for the participant's violation will be immediately carried out.
14. If there are consequences to further participation in EERI, such as a ban on particular activities (e.g., participation in meetings and events, eligibility for leadership, honors or awards, or a suspension or expulsion from the community), the relevant EERI staff person will be notified subject to confidentiality, to carry out the consequences. In some cases, the accused's employer may also be notified.
15. If consequences include the termination of EERI membership, the procedures contained within Article XVI, Termination of Membership and of Tenure of Office, of the EERI Bylaws shall be followed.
16. A designated EERI representative, such as the Executive Director or the Safe EERI Consultant, will keep a confidential record of all reports so that a participant's conduct may be considered part of a pattern in the future, even if it is not the subject of a formal process or if the first report is not determined to be a violation warranting consequences.
17. Once the accountability process detailed above has been concluded, the EERI Board of Directors shall be provided with an anonymous summary of the outcome which does not reveal the identity of parties or witnesses.

Code of Conduct Review Committee Duties and Responsibilities

The Code of Conduct Review Committee will be convened when reports of misconduct occur. The committee will have no fewer than three individuals, typically including past or present Board members.

The Code of Conduct Review Committee will have the following duties and responsibilities in relation to the Code and these procedures:

- Receive reports of potential violations of the Code from the EERI community and refer to/consult with the Safe EERI Consultant concerning the next steps to be followed in the “Procedures for Reviewing Reported Violations;”
- Receive preliminary investigation reports from the Safe EERI Consultant to determine whether a formal investigation process is warranted based on the information presented;
- Receive full investigation reports from the Safe EERI Consultant and, after evaluating the full investigation report, will issue a determination with consequences for any member found to have violated the Code.
- On the basis of reports and/or investigations, make recommendations to EERI leadership concerning EERI climate and culture.