

## ***Professional Standards and Ethical Conduct – Enforcement: Violations by Members***

Complaints of alleged unethical behavior may be filed against an MSPA member who is suspected to have violated the Code of Professional Standards and Ethics Agreement (Code). Such charges must be documented in writing. All related investigations are confidential, and participants in such evaluations will be reviewed for possible conflict(s) of interest in each case.

Any member who is found to be in violation of the Code may appeal the findings. Sanctions will be determined on a case by case basis, and will depend on the severity, nature, and number of the violations. Also considered will be whether such violations constitute a pattern that establishes the member to be incapable or unwilling to comply with the Code.

There are three levels of sanctions for violations:

1. Censure (issuance of a strong official disapproval statement).
2. Suspension for a determined time period (bar from normal membership privileges, such as advertising through MSPA publications or participation in MSPA programs/events).\*
3. Expulsion from membership in the Association (permanent loss of membership).\*

*\*The names of members who have been suspended or expelled will be published in MSPA media for a period of up to one year.*

### **Complaint Filing and Review Procedures**

1. A detailed complaint is filled out and filed with MSPA Executive Manager or Officer. *The complaint must be received no later than 60 days from the date of discovery of the alleged improper conduct.*
2. The Executive Manager or Officer immediately notifies the complainant of receipt.
3. The Executive Manager or Officer immediately forwards the complaint to the Chair of the Professional Standards & Ethics Committee (Chair) for review.
4. The Chair reviews the complaint and ascertains if the material constitutes evidence of a violation against the Code. If this is not clear, the Chair calls a meeting of the Committee.
5. The Chair begins a detailed investigation by notifying the person against which the complaint has been lodged (responding party) of the alleged violation and requests a written response to the allegation within 30 days. A copy is sent to the Executive Manager or Officer.
6. If the materials do not show evidence of a violation, both parties are notified by the Chair and a copy is sent to the Executive Manager or Officer.
7. The Executive Manager or Officer receives the responding party's response and immediately notifies the responding party of receipt.
8. The Executive Manager or Officer immediately forwards the response to the Chair.
9. The Committee meets to determine the severity of the complaint and to recommend action: either calling the responding party and offering suggestions and resolutions to resolve the complaint or deciding to censure, suspend, or expel a member.
10. The Committee offers the responding party the opportunity to have an objective arbitrator hear the complaint if no satisfactory resolution can be obtained informally.
11. The Executive Manager or Officer, Chair, and both parties are notified of the final decision.
12. The final results are published in MSPA media (if the member's membership rights are suspended for a period of time or if the member is expelled from the Association).

## Violation of Code Allegation Against an MSPA Member

Please use this form to file a formal complaint against an MSPA Member. Only complaints that are properly filed will be investigated. This completed form must be signed by the filing member.

*I believe a violation of the MSPA Code of Professional Standards and Ethics has been made by the following MSPA member:*

**1. Member Information:**

**Full Name:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State :** \_\_\_\_\_

**Zip Code:** \_\_\_\_\_ **Country:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**2. Nature of Member's Business (select only one):**

End User/Manufacturer

Research Company

Data Collection

Other (please specify) \_\_\_\_\_

**3. Ethical problem or issue:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. What facts have a bearing on this ethical issue? Explain the agreement between parties, written letters, telephone calls, attorneys/lawsuit, etc. if applicable. Attach any relevant documentation**

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5. **Other Considerations:** Provide other pertinent information that the committee should consider.

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6. **Recommendation for Action:** From your perspective, what do you think would be the most appropriate action, based upon MSPA enforcement procedures? (select only one)

Censure                       Suspension                       Expulsion

Other (please specify) \_\_\_\_\_

7. **Authorization:** I attest by signing this document that the information included is accurate and that I am requesting that the MSPA Professional Standards & Ethics Committee investigate this allegation of a violation of the Code of Professional Standards and Ethics.

**Full Name:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State :** \_\_\_\_\_

**Zip Code:** \_\_\_\_\_ **Country:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Nature of your Business:** \_\_\_\_\_

**Signature (REQUIRED):** \_\_\_\_\_

Please print this form and sign it. Your signature is required to validate this request.  
Once completed, file this complaint:

Europe: by fax to 00 31 70-358 73 77 or by email to [contact-eu@mspa-eu.org](mailto:contact-eu@mspa-eu.org)

North America: by fax to 00 1 972 755 2561 or by email to [contact-na@mspa-na.org](mailto:contact-na@mspa-na.org)

Asia Pacific: by fax to 00 91 124 438 1203 or by email to [contact-ap@mspa-ap.org](mailto:contact-ap@mspa-ap.org)

Latin America: by fax to 00 55 11 2613 8550 or email to [contact-la@mspa-la.org](mailto:contact-la@mspa-la.org)