

## **For Members of the Maintenance Superintendent Association**

The Board of Directors of the Maintenance Superintendents Association advocates the following Standards of Professional Conduct to guide its members in the conduct of their business. The Board of Directors encourages its members, whether individual or organization, to apply these standards to every aspect of their professional life.

As a member of the Maintenance Superintendents Association, I am dedicated and committed to maintaining the following standards of professional conduct:

- I shall keep the public trust and will not take personal advantage of privileged information or relationships that affect our lives.
- I shall put public interest above individual, group or societal interest and consider my chosen occupation as an opportunity to serve society.
- I shall encourage sustainability through wise use of resources; whether they are natural, financial, or human resources.
- I shall consider public health and safety in every aspect of my work insuring a safe environment by creating a sense of awareness.
- I shall conduct myself with personal integrity in a manner that enhances and honors the reputation of the profession, my employer, my community and the Maintenance Superintendents Association.
- I shall ensure that the work for which I am responsible complies with all legal requirements of the local interest, state, county, or federal governments that may apply.
- I shall strive to plan, design, build, maintain and operate public infrastructure in a manner that respects the environment and the ability of government to adequately preserve public assets for succeeding generations.

## **CODE OF ETHICS**

### **A. Administration**

#### **1. Board President**

The President shall be a person of recognized integrity, knowledgeable in the industry, and of a stature that will command respect by the industry and from the public. He shall appoint a staff adequate and competent to assist him in the discharge of his duties. During his term of office, the President or his staff shall be an officer or director and serve as a member or affiliate of the Maintenance Superintendents Association. The President shall disclose all holdings in any member company prior to appointment and shall also disclose any conflict of interest to the Board of Directors. The President shall also have the same rights of indemnification as the Directors and Officers have under the bylaws of the Maintenance Superintendents Association.

The President, in accordance with the code of ethics established by the Board of Directors as provided herein, shall hear and determine all charges against members subscribing hereto, affording such members or persons an opportunity to be heard fully. The President shall have the power to originate any proceedings, and shall at all times have the full cooperation of all members.

### **B. Regulations for Enforcement of MSA Code of Ethics**

#### **1. Receipt of Complaint**

A verbal notice of code of ethics violation will be given to member upon receipt of complaint. The President upon receiving a complaint has the option as well as the ability to discuss the violation with the member and notify the member of the consequences of the violation. He will verbally discuss the issue and what options are available to the member to prevent this infraction from going before a Review Board. If the infraction can be resolved at this point to the satisfaction of the President the matter will be deemed settled and no further action will be taken.

A. Upon receipt of a complaint from any member or where the President has reason to believe that a member has violated the Code of Ethics, the President shall forward a copy of the complaint, if any, to the accused member together with a letter notifying the member that a preliminary investigation of a specified possible violation is being conducted and requesting the member's cooperation in supplying necessary information, documentation and explanatory comment. If a written complaint is not the basis of the Presidents investigation, then the President shall provide written notice as to the basis of his reason to believe that

a violation has occurred. Further, the President shall honor any requests for confidential treatment of the identity of the complaining party made by the party.

## **2. Cooperation with the President**

In the event a member refuses to cooperate with the President and refuses to supply necessary information, documentation and explanatory comment, the President shall serve upon the member, by registered mail, a notice affording the member an opportunity to appear before the Maintenance Superintendents Association Board of Directors on a certain date to show cause why its membership in the Maintenance Superintendents Association should not be terminated. In the event the member refuses to cooperate with the President or to request a review by the Maintenance Superintendents Association Board, Directors, or a designated part thereof, may vote to determine the membership of the member.

## **3. Informal Investigation and Disposition Procedure**

The President shall conduct a preliminary investigation, making such investigative contacts as are necessary to reach an informed decision as to the alleged Code violation. If the President determines, after the informal investigation, that there is no need for further action or that the Code violation allegation lacks merit, further investigation and administrative action on the matter shall terminate and the complaining party shall be so notified.

The President may, in his discretion, remedy an alleged Code violation through informal, oral and written communication with the accused member.

If the President determines that the allegation has sufficient merit, in that the apparent violations are of such a nature, scope of frequency so as to require remedial action it shall be brought before the M.S.A. Board. The President shall notify the member of his decision, the reasoning and facts which produced it, and the nature of the remedy he believes would be effected. The President's notice shall offer the member and opportunity to voluntarily consent to accept the suggested remedies. If the member desires to dispose of the matter in this informal manner it will, within 20 days, advise the President, in writing, of its willingness to consent. The letter to the President may state that the member's willingness to consent does not constitute an admission or belief that the Code has been violated.

## **4. Appeals Review Panel**

An Appeals Review Panel will consist of five representatives from the Maintenance Superintendents Association Board. The Maintenance Superintendents Association Board members will review the appeal and a majority vote will act as the final decision in making recommendations for disposition of case. When an appeal is made by a member, the President of the M.S.A. shall select three of the five members of the Appeals Review Panel to constitute a three-person panel to review

the appeal. One member shall be named Chairman of that panel, and every effort shall be made to avoid conflicts in selecting the panel. If for any reason, a member of the panel cannot fulfill his or her duties or fill out a term for any reason, the Appeals Review Panel of M.S.A. can replace that person with a new appointment for the remainder of the unfulfilled term with the concurrence of the Executive Committee.

## **5. Appeals Review Procedure**

If a member objects to the imposition of a remedial action by the President, it shall have a right to request a review of the Board's decision by the M.S.A. Board. A member must make such a request in writing submitted to the President within 14 days of being notified of the remedial action by the President. Within 10 days of receiving such a request, the M.S.A. President shall notify the Chairman of the Appeals Review Panel of who at that time shall select the three-person panel. That selection shall take place within 30 days of the member's request for the review.

As soon as the panel has been selected, the President shall inform the member of the names of the panelists, including the name of the chairman of the panel. Within 14 days of the notification, the President shall send a copy of the Complaint and all relevant documents, including an explanation of the basis of the decision to impose remedial action, to the panelists with copies to the Appellant. Upon receipt of such information, the Appellant shall have 14 days to file with the panel its reasons for arguing that remedial action should not be imposed along with any additional documents that are relevant. Copies of that information should also be sent the President.

The panel shall decide whether the President's decision to impose remedial action was reasonable under all of the facts and circumstance involved and shall either confirm the President's decision, overrule it, or impose a lesser sanction. The panel shall be free to contact the President and the Appellant and any other persons who may be relevant witnesses to the Complaint, formally or informally as deemed appropriate. A decision by the panel shall be final and shall be promptly communicated both to the President and the Appellant. The costs involved in the appeal such as costs of photocopying, telephone, telefax, and mailing, charges shall be absorbed by the appellant who has violated the Code of Ethics.

### **C. Powers of the President**

#### **1. Remedies**

If pursuant to the hearing provided for in Part (B3), the administrator determines that the accused member has committed a Code of Ethics violation or violations, the Administrator is hereby empowered to impose the following remedies, either individually or concurrently, upon the accused member:

- A. First Offense/Infraction  
30 day suspension of all privileges including attending monthly meetings.
- B. Second Offense/Infraction  
One year suspension with all privileges revoked.
- C. Third Offense/ Infraction  
Termination of membership in the Association.

## **2. Case Closed**

If the President determines that there has been compliance with all imposed remedies in a particular case, he shall close the matter.

## **3. Refusal to Comply**

If a member refuses to voluntarily comply with any remedy imposed by the President, and has not requested a review by the Appeals Review Panel, the MSA Board of Directors, or designated part thereof, may conclude that the member should be suspended or terminated from membership in the Association. In that event the administrator shall notify the member of such a decision by registered mail and shall remind the member of its right to have the President's original decision reviewed by the M.S.A. Panel.

## **4. Appeal for Reinstatement After Suspension or Termination**

If the suspension or termination is not appealed, or if it is confirmed by the Appeals Review Panel, a suspended member, after at least ninety days, and a terminated member, after at least one year, may request the opportunity to have its suspension or termination reviewed by the Appeals Review Panel which may in its discretion reinstate membership.

### **D. Resignation**

Resignation from the Association by a member prior to completion of any proceedings constituted under this Code shall not be grounds for termination of said proceedings, and a determination as to the code violations shall be rendered by the President at his or her discretion, irrespective of the accused members continued membership in the association or participation in the complaint resolution procedures.

### **E. Amendments**

This Code may be amended by vote of two-thirds of the Board of Directors

## Acknowledgement of Maintenance Superintendents Code of Ethics

Date: \_\_\_\_\_

I \_\_\_\_\_ have read, understand, and agree with the Los Angeles Maintenance Superintendents Association Code of Ethics. I will accept responsibility for my actions and am aware that my actions may cause my standing in the Maintenance Superintendents Association to be in jeopardy or possibly be terminated. I will live up to my responsibilities as a member of the Los Angeles Chapter of the Maintenance Superintendents Association and am committed to the best interests of the Association in regards to policy, procedures, and its Code of Ethics.