

PROCEDURE FOR OUTSIDE COMPLAINTS AGAINST OSAC MEMBERS AND AFFILIATES



This procedure applies to complaints received from a non-OSAC member or affiliate against an OSAC member or affiliate related to their participation and activities within OSAC. The FSSB will not address complaints against OSAC members or affiliates regarding activities outside of OSAC. See the FSSB Procedure for Censure, Suspension, or Termination of Membership for information on actions that will be taken in certain circumstances when an OSAC member or affiliate is convicted of a crime.

Complaint: Complaints of violations of the OSAC Code of Responsibility by OSAC members or affiliates may be made by any person. Any complaint (the Petition) must be in written form, signed by the complainant (the Petitioner), and sent to the Chair of the OSAC FSSB or designee. The person who is the subject of the complaint shall be referred to as the Respondent.

Content of the Petition: A Petition must include the following:

- a. Name and contact information of the Petitioner and Respondent,
- b. The allegation of specific violation of the OSAC Code of Responsibility,
- c. Adequate factual basis for the allegation(s), and
- d. Supporting documentation and information.

If the petition does not contain all the items noted above, the FSSB Chair or designee will contact the Petitioner to request additional information before the complaint may be considered by the FSSB.

Initial Review of the Petition: Within seven (7) business days of receipt of the Petition, the FSSB Chair, in consultation with the FSSB Executive Task Group (ETG), shall review the Petition to determine if the allegation is related to the OSAC member's or affiliate's participation and activities within OSAC. If the FSSB Chair and ETG determine the Petition is regarding activities outside of OSAC, no action will be taken. The Petitioner has one opportunity to refile an amended Petition within seven (7) business days of the date of notification that the complaint is viewed to be outside the purview of OSAC.

Complaint Review Board: Once a Petition is determined to relate to the OSAC member's or affiliate's participation and activities within OSAC, the FSSB Chair shall have seven (7) business days to appoint three (3) FSSB members to a Complaint Review Board (hereafter referred to as CRB) to address the petition. If, for any reason, a member of the CRB is unable to perform their duties, the FSSB Chair shall immediately appoint another qualified FSSB member. The CRB shall act by majority vote. In addition to the three (3) voting members of the CRB, the FSSB Vice Chair shall

act as a chairperson of the CRB but will not have a vote in the decision made by the CRB. This chairperson will be responsible for collating the results of the review of the parties' submissions as well as drafting the findings and recommendations to the FSSB chair. The CRB will hold at least one meeting, in-person or virtually, to review the Petition and Response (if any).

Notice Requirements: Concurrent with the selection of the CRB, the FSSB Chair shall inform the respondent, in writing, that a Petition has been filed. The FSSB Chair shall provide the respondent with a copy of the Petition, including supporting materials, as well as a copy of the OSAC Code of Responsibility. The Respondent may submit a written response to the Petition, but must reply within seven (7) business days from the date of notification.

CRB Recommendation: The CRB shall render a recommendation with respect to the Petition within thirty (30) business days of receipt of the Petition by the CRB unless additional time is required to complete the investigation. The revised recommendation date, not to exceed 60 business days from receipt of the Petition by the CRB, will be provided to all parties. The CRB shall notify the FSSB Chair and ETG, in writing, of its factual findings and recommendation(s).

a. Possible recommendations are:

- i. Reject the complaint
- ii. Censure membership
- iii. Suspend membership
- iv. Terminate membership.

Decision of the FSSB: A two-thirds ($\frac{2}{3}$) majority vote of the FSSB shall be required to accept or reject the recommendation of the CRB.

Notification of the FSSB Decision: The FSSB's decision will be forwarded to the Respondent and the Petitioner in writing. If the decision results in discipline, the sanction shall not be enforced until the appeal period has expired or an appeal has been decided.

Appeal: The Respondent may appeal the decision of the FSSB by filing a written request with the FSSB Chair within thirty (30) business days of the date of the FSSB's written notification. If the FSSB Chair determines the notice of appeal is timely, the FSSB Chair shall establish a Board of Appeals, the composition of which is described below, to hear the appeal.

Composition of Board of Appeals: The Board of Appeals shall consist of three (3) members. The FSSB Vice Chair shall serve as the Chair of the Board of Appeals. Additionally, two current FSSB members, not part of the CRB, will be appointed to

serve. The Board of Appeals shall strive to issue its ruling within thirty (30) business days of receipt of the notice of appeal.

The Board of Appeals shall review the Petition and all supporting documentation, the Respondent's documentation, the CRB's written findings and recommendations, the final decision of the FSSB, and the written request for the appeal.

a. The Board of Appeals may render one of the following decisions:

- i. uphold the decision of the FSSB
- ii. overturn the decision of the FSSB.

The FSSB Board of Appeals decision is final.

The Chair of the Board of Appeals shall inform the parties in writing and the FSSB Chair of its decision.

Effect of Resignation by Respondent: If the Respondent resigns as a member of the OSAC while a complaint process involving the Respondent is pending, the FSSB Chair, in consultation with the FSSB ETG, shall decide whether the petition should proceed.

Effect on Pending Membership Appointments: An ongoing complaint process shall have no impact on pending OSAC membership or Affiliate appointments.