

Sanctions for Individuals Found in Violation of the DLSCC's Code of Ethics (Revised Version)

Individuals who are found in violation of DLSCC's Code of Ethics receive sanctions for unethical conduct.

Purpose of Sanctions

Sanctioning Directors, Officers and members for unethical conduct has four major goals:

1. To penalize the person in violation

When an individual violates the Code of Ethics, there must be consequences associated with that misconduct. Depending on how grave the misconduct is, the Ethics Committee has a range of sanctions that it can impose, from less to more punitive as per violation and circumstances involved.

2. To serve as a mechanism to educate and rehabilitate

It is important to provide feedback to individuals who violate the Code of Ethics so that they understand and appreciate exactly how their past conduct was inappropriate, so that it will be less likely to occur again in the future. These measures serve a rehabilitation function.

3. To protect the public

The welfare of the individual and the cooperative's reputation and integrity are both the primordial concern of this code.

4. To inform everyone that the DLSCC enforces highest ethical standards thus, alerts them about that corresponding penalties for such professional misconduct

The DLSCC thereby directs the Ethics Committee to publish / post in the DLSCC webpage all information relevant to the said violations and sanctions.

Types of Sanctions the Ethics Committee Can Impose

The Ethics Committee has the following sanctions to impose on individuals found in violation of one or more provisions of the Code of Ethics:

1. Reprimand

The sanction of Reprimand which shall be held in confidence shall be imposed in cases where unethical conduct is of a minor nature.

A Reprimand is disclosed only to the person found in violation and to the individual who originally filed the complaint (Complainant).

Any further unauthorized disclosure of the sanction of Reprimand is itself, a violation of the Code of Ethics.

2. Censure

The sanction of Censure is essentially a public reprimand. The violation is published or posted in the DLSCC webpage to inform the full membership in a manner that identifies the individual in violation, his or her city of residence, and the principles and rules of the Code of Ethics violated.

When a sanction of Censure is imposed, a notice of the ethics violation may also be sent to, among others, any state agency that provides a license to the individual and to any other professional organization where the individual is a member.

3. Revocation

In cases of grave misconduct, the Board of Directors can revoke the individual's DLSCC membership and certification for a period of years, up to life. The sanction of Revocation requires a two-thirds vote of the members of the Board of Directors present and voting.

Notice of this sanction to the DLSCC membership and other entities is the same as with the sanction of Censure.

After the period of revocation has expired, in order for the individual to seek reinstatement of DLSCC membership and/or certification, application must be made to the Board of Directors and must approve reinstatement by a two-thirds vote. In applying for reinstatement, the applicant has the burden of demonstrating that conditions that led to the revocation have been rectified and that, upon reinstatement; the applicant will abide by the Code of Ethics. The applicant must also satisfy all certification standards and procedures of the DLSCC and/or membership requirements that are in effect at the time of the Ethics Committee's Reinstatement Order.

4. Suspension

The Ethics Committee can impose the sanction of Suspension of DLSCC membership and certification in lieu of Revocation. The sanction is usually intended to be employed for short periods of time (e.g., 6 months). A major difference between Revocation and

Suspension is that at the end of the period of suspension the individual can make application directly to the DLSCC for reinstatement of membership and certification without seeking approval of the Ethics Committee first.

5. Withholding

The Ethics Committee can impose the sanction of Withholding of DLSCC membership and certification in cases where an applicant for membership and/or certification is found in violation of misconduct. The Ethics Committee cannot revoke what the applicant does not yet have, but the board can impose the sanction of Withholding of membership and/or certification for a period of years up to life.

Cease and Desist Orders

In addition to the abovementioned sanctions, the Ethics Committee can also order an individual to cease and desist from any practice or conduct found to be in violation of the Code of Ethics. The order essentially prohibits the individual from continuing a particular course of conduct and may require specific affirmative actions designed to comply with the order, including a written confirmation of compliance.

Failure to comply with a cease and desist order is in itself, a violation of the Code of Ethics which normally results in revocation of membership and certification.