**RECOMMENDATIONS FOR REPLACING THE CURRENT EMCC**

**AND RESTORING ETHICS ADVICE AND ETHICAL SUPPORT IN IEEE-UPDATE 1**

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**Prepared by**

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| **PROPOSED ACTION** | **REASON OR RATIONALE** |
| **1. Revise the EMCC’s Mission and its Operations Manual by:**1. **Removing the phrase “Neither the Ethics and Member Conduct Committee nor any of its members shall solicit or otherwise invite complaints, nor shall they provide advice to individuals.” from 2 places; first from By-law I-305.5 and second from its use in the EMCC Ops Manual, and**
2. **Removing the phrase “The Ethics & Member Conduct Committee shall not be involved in employee-employer disputes”from the EMCC Operations Manual.**
3. **Once removed, the EMCC or its replacement EC/MCC entities shall be ProActive in Ethics Advice and Ethical Support to the Membership**
4. **For background understanding, task the IEEE Board’s Staff to research and provide the original justification for enacting these two restrictions on the EMCC**
 | **1. a and b.These two restrictions have been in effect for at least 15 years. They contradict higher level Governance Document Bylaws/Policy and Procedures, which, beginning in 1978 and is still in the applicable documents, directed the Member Conduct Committee to process requests for and to recommend Ethical Support in matters when Members’ employment was placed in jeopardy for upholding the Code of Ethics. Otherwise, if they remain, they would be in conflict with Canon 10 of IEEE’s Code of Ethics.****b. NOTE: This restriction does not appear elsewhere in any higher Governance documents and is at the lowest level of hierarchy, thus INVALID.****The subject sentence in I-305.5 for deleting has prohibited the IEEE Ethics Committee from doing anything useful. Getting it repealed would constitute a clear, and necessary, step in any ethics revival.****The original co-intent of the Member Conduct Committee was to provide Ethical Support to the Membership.****It may be informative to understand the past Board’s reasons for these restrictions, if they can be found. Todate, they have not been.** |
| **2. Separate the EMCC into an Ethics Committee(EC) and Member Conduct Committees(MCCs)** | **2. The EC is Legislative and the MCC is Judicial in their charters and purposes** |
| **3. Centralize the EC and decentralize the MCCs into Regions** | **3. One EC is sufficient but MCCs need to be regionalized. However, there is a risk that the lack of control from the center will be exploited. Some oversight is a consideration. The EC could be empowered to perform this, but keeping it independent from the MCCs may be preferable. May be a small Supreme MCC is a possible solution.** |
| **4. The EC shall:** **a. Maintain the Code of Ethics****b. Develop Implementation Guidelines tailored to technical disciplines, practices, local customs and Interpret them when called upon****c. Publish Ethics Articles and hypothetical ethics education cases in the INSTITUTE** **d. Provide advice and interpretations when requested from MCCs****e. Issue Annual Reports on activities and accomplishments to the Members** | **4. The Code of Ethics is its main focus along with guides on how to interpret and apply, is the body to educate Members on Ethics, and can function in an advisory/interpretive role.****Annual Reports will make the EC visible and accountable whereas today it is not to the Members.** |
| **5. The MCCs shall be empowered to:****a. Recommend Member Discipline for Code violations****b. Respond to Member Inquiries seeking Ethics Advice****c. Provide an Ethics Conflict Resolution Service****c. Recommend Ethical Support to Members found to have his/her employment in jeopardy for upholding the Code of Ethics** | **5. This restores the MCC to its founding purposes and reinforces its advisory and supporting functions which have been restricted from performing for over 15 years.** |
| **6. The MCCs shall:** **a. Tailor application of the Code of Ethics to their local customs, laws, business practices, and norms** | **6. It will be important to Regionalize enforcement of the Code to local situations, thus decentralization is called for** |
| **7. The MCCs shall issue Annual Reports on activities, cases (sanitized) and accomplishments to the Members** | **7.** **Annual Reports will make the EC visible and accountable whereas today it is not to the Members.** |
| 8. **Membership on the EC/MCCs shall be a balance of Executive and Employee level Members** | **8. History has shown that there was bias against the employee Members’ interests.** |
| 9**. A Constitutional Amendment shall be considered to accomplish these goals to establish a long term stability and freedom from come and go ethical political winds, as was experienced in the 1990’s when all EC and MCC ethics programs and their Pro Active Members were eliminated.** | **9. This will insure long term stability and independence of the EC/MCCs from political tampering that has been experienced in the past.****A new MCC’s revamped structure’s principles and powers need defining. Where it sits in the reporting chain and who will operate it are open questions.** **Once a new MCC model exists, the entire Board of Directors need education and strong majority buy-in to give the structure strength, meaning and security from the next President or powerful Director with a differing view.** |
| **10. If there are questions or challenges to these recommendations, one consideration is for some type of legal action.** | **10. IEEE’s Governance document hierarchy could be reviewed legally and it is believed that it will show the current “ETHICS ADVICE AND ETHICAL SUPPORT” restrictions are without legitimacy. Advice in this context shall include the operation of an IEEE Ethics HOT Line, as was done successfully in the late 1990’s.** |
| **11. Convene a Workshop at this Summer’s Sections Congress to discuss these ethics, EC and MCC issues** | **11. Seek involvement at the Sections level across Regions and motivate young Members to get involved and promote this.** |
| **12. Review, assess and promote the preponderance of evidence of PROs over the CONs in favor of restoring Ethics Advice and Ethical Support. Refer to accompanying Report.** | **12. Over the years the amount of PROs versus CONs statements demonstrates how strong Employee Members support Ethics Advice/Support over past Board Members.** |
| **13. Pubicize the approved changes to the EMCC and its operations to the Membership.** | **13. Communicate this new EC/MCC division, renewal of ethics advice/ethical support and the MCC regionalization to the Membership.**  |
| **14. Stress to all Members serving in Director positions, that their first priority is to the good of the Membership and not outside business, employment or other personal interests.** | **14. This is a matter of New York State Law covering Directors who serve Non Profit Corporations for where their primary allegiance is to be given.** |
| **15. Engage NAVEX GLOBAL to incorporate handling the new Ethics Committee and Regionalized Member Conduct Committees Code of Ethics, in providing Ethics Advice and Ethical Support to Members.** | **15. Ethics Point’s current HOTLINE service for IEEE’s Code of Conduct (affecting its employees and all senior Volunteer Members) would add on similar operations for IEEE’s Members upholding its Code of Ethics. Via phone and internet, a Member would select either the Conduct or Ethics half of Ethics Point to service their request. Ethics Point would then maintain complete accountability for all contacts and hand off to either the EC or the appropriate MCC, based on the inquiry. Additional services, TBD, would also be handled. The current Conduct services would not be affected.** |