



SPEE's Proposed Grievance Process Purpose, Objectives, and Overview

The Importance of SPEE's Grievance Process

A strong code of ethics is an essential character that a truly objective, professional evaluator must possess. Ethics is a cornerstone upon which SPEE was conceived and founded, and it is of profound importance to the SPEE membership. A logical outflow of the high value placed on ethical conduct by SPEE and its membership is a viable grievance process wherein a member who fails to uphold the SPEE standards can be disciplined, or separated from the Society, if warranted. While grievance issues are and should be rare, it is the possession of a grievance process that protects the very privileges and reputational benefits that SPEE members derive through membership. Furthermore, a strong grievance process contributes to making the SPEE a self-governing professional organization, and membership in a self-governing professional organization is a prerequisite for being considered a Qualified Reserves Evaluator or Competent Person by regulators in a number of important jurisdictions around the world.

The Objectives of SPEE's Grievance Process

The primary objective of SPEE's Grievance Process is to ensure that the SPEE membership maintains the highest standards of business ethics and professional conduct in accordance with SPEE's By-Laws. Secondary objectives of the process are as follows:

- The process should be fair and transparent to the participants.
- The process should be clearly stated and clearly understandable by the membership.
- The process should not be subject to change during the time in which a grievance complaint is in process.
- The process should include clearly defined roles for the Executive Committee, the Grievance Committee, the member bringing the complaint (the Complainant), the accused member (the Respondent), and the Independent Arbitrator.
- The process should achieve a resolution that is timely, independent and unbiased.
- The process should remain confidential.
- The process should have a clear and final outcome.
- The process should provide adequate protection to the organization and those members involved in the process on behalf of the organization.
- The process should leave no doubt that SPEE is a self-governing organization with a defined and functional grievance process.



Overview of SPEE's Grievance Process

A flow chart provided on the following page as Figure 1 summarizes and illustrates the SPEE Grievance Process as currently envisioned, in accordance with the proposed SPEE By-Laws dated January 27, 2018. SPEE's Grievance Process can only be initiated by members of SPEE in good standing. An ethics violation grievance is initiated when a member believes he/she is aware of unethical conduct by another member and subsequently submits such charge in writing with appropriate evidence to the then current SPEE President.

The core of SPEE's proposed Grievance Process is the determination of culpability by an Independent Arbitrator, a determination made after the Independent Arbitrator hears both the charge and the response in defense. Before such a charge is allowed to be submitted to an Independent Arbitrator for final decision, the charge is subjected to two rigorous review gates within the SPEE. The charge is first reviewed by SPEE's Executive Committee for a determination of merit, and subsequently reviewed by SPEE's Grievance Committee for sufficiency of facts to warrant further action. The determination of merit step addresses the extent to which the alleged infraction represents a violation of SPEE's By-Laws, as well as the materiality of such an infraction. The sufficiency of facts step addresses the extent to which the evidence in the written charge appears to be reasonably grounded in fact, and the extent to which other reasonably obtainable and verifiable facts corroborate, rather than contradict, the charge. If the charge is found to lack either sufficient merit or sufficient facts to support the charge, then the member bringing the complaint is notified of such outcome and the matter is closed without further action.

If the charge is determined to have both merit and sufficiency of facts, and the member bringing the charge is willing to proceed with the complaint, the member to which the charge has been brought (the Respondent) is so notified and the matter is referred to an independent arbitration process. The Society will endeavor to reach mutual agreement with the Respondent regarding the individual selected as Independent Arbitrator, and such Independent Arbitrator's services will be paid for by SPEE. The arbitration format will allow for evidence of the complaint to be presented by the member bringing the charge as a "witness on behalf of SPEE" and will allow for the Respondent to present refuting evidence, whether oral or written. Each party will have right of cross-examination, and the arbitrator will have rights to question both parties. After the conclusion of the arbitration process, the Independent Arbitrator will be provided time to render a decision, which will be considered final. If the Independent Arbitrator concludes that the Respondent violated the standards of ethics as set forth within the SPEE By-Laws, then that individual's membership privileges are immediately and permanently revoked.

Throughout the Grievance Process, it is intended that confidentiality will be maintained, with knowledge of any specific grievance, or its proceedings thereof, limited to those directly involved in that specific grievance. In the event that charges under the SPEE's Grievance Process are brought by an SPEE committee, the committee is requested to appoint a single spokesperson to act as the Complainant throughout the proceeding.

This document, approved January 31, 2018, is intended to describe the expected framework of SPEE's Grievance Process, to be in conformance with SPEE's By-Laws as proposed but not yet ratified. This document is not intended to supplement, modify, or replace either the existing SPEE By-Laws, or the currently proposed version of such SPEE By-Laws.

Figure 1 - Summary of the Proposed SPEE Grievance Process

