

## AMERICAN MATHEMATICAL SOCIETY

### CODE OF CONDUCT POLICY

(as adopted by the Board of Trustees in November 2006)

In keeping with the policy of maintaining the highest standards of conduct and ethics American Mathematical Society (AMS) will investigate any suspected fraudulent or dishonest use or misuse of AMS's resources or property by staff, board members, consultants or volunteers. The American Mathematical Society is committed to maintaining the highest standards of conduct and ethical behavior and promotes a working environment that values respect, fairness and integrity. All staff, board members and volunteers shall act with honesty, integrity and openness in all their dealings as representatives for the organization. Failure to follow these standards will result in disciplinary action including possible termination of employment, dismissal from one's board or volunteer duties and possible civil or criminal prosecution if warranted.

Staff, board members, consultants and volunteers are encouraged to report suspected fraudulent or dishonest conduct, pursuant to the procedures set forth below.

#### **Reporting Violation of the Policy**

A person's concerns about possible fraudulent or dishonest use or misuse of AMS resources or property should be reported to his or her supervisor or, if suspected by a volunteer, to the staff member supporting the volunteer's work. If for any reason a person finds it difficult to report his or her concerns to a supervisor or staff member supporting the volunteer's work, the person may report the concerns directly to the chair of the AMS Board of Trustees, president, executive director, deputy executive director, chief financial officer, or manager of Human Resources. Alternatively, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

#### **Definitions**

*Baseless Allegations:* Allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action by AMS, and/or legal claims by individuals accused of such conduct.

*Fraudulent or Dishonest Conduct:* A deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- forgery or alteration of documents;
- unauthorized alteration or manipulation of computer files;
- fraudulent financial reporting;
- pursuit of a benefit or advantage in violation of AMS's *Conflict of Interest Policy*;
- misappropriation or misuse of AMS resources, such as funds, supplies, or other assets;
- authorizing or receiving compensation for goods not received or services not performed; and
- authorizing or receiving compensation for hours not worked

#### **Rights and Responsibilities**

Supervisors are required to report suspected fraudulent or dishonest conduct to the chair of the AMS Board of Trustees, president, executive director, or deputy executive director.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

- baseless allegations;
- premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation; and
- violations of a person's rights under law.

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Due to the important yet sensitive nature of the suspected violations, effective professional follow-up is critical. Supervisors, while appropriately concerned about “getting to the bottom” of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. Accordingly, a supervisor who becomes aware of suspected misconduct:

- should not contact the person suspected to further investigate the matter or demand restitution.
- should limit discussions of the case to chair of the AMS Board of Trustees, president, executive director, or deputy executive director.

#### **Investigation**

All relevant matters, including suspected but unproved matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings will be communicated back to the reporting person and his or her supervisor. Investigations may warrant investigation by an independent person such as auditors and/or attorneys.

#### **Protection of Persons Reporting Concerns**

- AMS will protect persons reporting concerns against retaliation. Complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that complaints will only be shared with those who have a need to know so that AMS can conduct an effective investigation, determine what action to take based on the results of any such investigation, and in appropriate cases, with law enforcement personnel.
- Employees, consultants and volunteers of AMS may not retaliate against any individuals for informing management about an activity that such person believes to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of that person’s employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or fees. Individuals who believe that they have been retaliated against may file a written complaint with the chair of the AMS Board of Trustees, president, executive director, or deputy executive director. Any complaint of retaliation will be promptly investigated and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- Individuals must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).