



MSSNY Code of Conduct Policy

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I. General.

In this Code of Conduct Policy (Policy), the Medical Society of the State of New York (MSSNY) affirms that all attendees of MSSNY hosted meetings, events and other activities are expected to exhibit respectful, professional, and collegial behavior during such meetings, events and activities, including but not limited to dinners, receptions and social gatherings held in conjunction with such MSSNY hosted meetings, events and other activities. Attendees should exercise consideration and respect in their speech and actions, including while making formal presentations to other attendees, and should be mindful of their surroundings and fellow participants.

Any type of harassment of any attendee of an MSSNY hosted meeting, event and other activity, including but not limited to dinners, receptions and social gatherings held in conjunction with an MSSNY hosted meeting, event or activity, is prohibited conduct and is not tolerated. The MSSNY is committed to a zero tolerance for harassing conduct at all locations where MSSNY business is conducted. This zero tolerance Policy also applies to meetings of all MSSNY sections, councils, committees, task forces, and other leadership entities (each, an "MSSNY Entity"), as well as other MSSNY-sponsored events. The purpose of the Policy is to protect participants and staff at MSSNY-sponsored events from harm.

II. Definition.

1. Harassment. Harassment consists of unwelcome conduct whether verbal, physical or visual that denigrates or shows hostility or aversion toward an individual because of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, marital status, citizenship or otherwise, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive environment; (2) has the purpose or effect of unreasonably interfering with an individual's participation in meetings or proceedings of the HOD or any MSSNY Entity; or (3) otherwise adversely affects an individual's participation in such meetings or proceedings or, in the case of MSSNY staff, such individual's employment opportunities or tangible job benefits.

Harassing conduct includes, but is not limited to: (a) epithets, slurs or negative stereotyping; (b) threatening, intimidating or hostile acts; (c) denigrating jokes; and (d) written, electronic, or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the MSSNY's premises or at the site of any MSSNY meeting or circulated in connection with any MSSNY meeting.

Harassing conduct also includes intimidation of participating individuals by a threat of consequences in order to compel actions by individuals or a group of individuals such as casting a particular vote.

2. Sexual Harassment. Sexual harassment also constitutes discrimination, and is unlawful and is absolutely prohibited. For the purposes of this Policy, sexual harassment includes:

- making unwelcome sexual advances or requests for sexual favors or other verbal, physical, or visual conduct of a sexual nature; and
- creating an intimidating, hostile or offensive environment or otherwise unreasonably interfering with an individual's participation in meetings or proceedings of the HOD or any MSSNY Entity or, in the case of MSSNY staff, such individual's work performance, by instances of such conduct.

Sexual harassment may include such conduct as explicit sexual propositions, sexual innuendo, suggestive comments or gestures, descriptive comments about an individual's physical appearance, electronic stalking or lewd messages, displays of foul or obscene printed or visual material, and any unwelcome physical contact.

Retaliation against anyone who has reported harassment, submits a complaint, reports an incident witnessed, or participates in any way in the investigation of a harassment claim is forbidden. Each complaint of harassment or retaliation will be promptly and thoroughly investigated. To the fullest extent possible, the MSSNY will keep complaints and the terms of their resolution confidential.

III. Enforcement Guidelines

MSSNY will implement and maintain mechanisms for reporting, investigation, and enforcement of the Policy in accordance with the following:

1. Ethics Committee. The MSSNY President, with approval by MSSNY Council, will appoint an "Ethics Committee" with responsibility for receiving reports of alleged Policy violations, conducting investigations, and initiating both immediate and longer-term consequences for such violations.

2. Reporting Violations of the Policy. Any persons who believe they have experienced or witnessed conduct in violation of this Policy during any MSSNY meeting or other activity associated with the MSSNY should promptly notify the Ethics Committee.

3. Investigations. All reported violations of this Policy (irrespective of the reporting mechanism used) will be investigated by the Ethics Committee. Based on this investigation, the Ethics Committee will determine whether a violation of the Policy on Conduct at has occurred.

4. Disciplinary Action. If the Ethics Committee determines that a violation of the Policy has occurred, the Ethics Committee may take immediate action to protect event participants, which may include having the violator removed from the MSSNY meeting, event or activity, without warning or refund. Additionally, if the Ethics Committee determines that a violation of the Policy has occurred, the Ethics Committee may report any such violation to Council, together with recommendations as to whether additional commensurate disciplinary and/or corrective actions (beyond those taken on-site at the meeting, event or activity, if any) are appropriate.

MSSNY Council may review the Ethics Committee recommendations including all incident reports, and conduct whatever further investigation, if any, the Council may choose. Council may decide on commensurate disciplinary or corrective action, which may include but is not limited to the following:

- Prohibiting the violator from attending future MSSNY events or activities;
- Removing the violator from leadership or other roles in MSSNY activities;
- Prohibiting the violator from assuming a leadership or other role in future MSSNY activities;
- Referral to law enforcement.

Any member of the Ethics Committee or MSSNY Council that is the subject of the accusation or investigation must recuse themselves from participation as a member of the Committee or Council reviewing the matter.

5. Confidentiality. All proceedings, reports, investigation and actions of the Ethics Committee and Council related to a report of a Code of Conduct violation should be kept as confidential as practicable.

6. Assent to Policy. As a condition of attending and participating in a meeting of the MSSNY meeting or event, attendees will be required to acknowledge and accept (i) the Policy and (ii) that all attendees are expected to conduct themselves in accordance with these policies. Additionally, individuals elected or appointed to a leadership role in MSSNY or its affiliates will be required to acknowledge and accept the Policy.

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