

American Thoracic Society Policy Related to Professionalism and Ethical Conduct

Statement of Principle: To protect its integrity and professional reputation, the American Thoracic Society (ATS) requires all those participating in official ATS activities to uphold the highest standards of professionalism and ethical conduct. Official ATS activities include any formal service to the ATS, encompassing but not limited to elected or appointed office, the development of official ATS documents, planning of or presentation at ATS conferences, and participation in official ATS projects.

Standards of Professionalism and Ethical Conduct: Standards include but are not limited to:

- Adhering to professional codes of ethics;¹
- Acting fairly, in good faith, honestly, and respectfully in all dealings with patients, peers, other healthcare professionals, trainees and ATS staff;
- Adhering to ethical principles in research. Fabrication, misleading reports, and theft of data constitute egregious departures from the expected norms of scientific conduct;
- Respecting confidential information where designated or commonly expected;
- Fully disclosing and managing in a manner consistent with ATS policies any professional relationship or action that may result in a conflict of interest. When objectivity and effectiveness cannot be maintained, participation in official ATS activities should be avoided or discontinued.
- Refraining from sexual harassment and from retaliation for declining, objecting to, or reporting harassment or other sexual conduct.

Responsibility to Notify the Society: Members, candidates for membership, and non-members seeking to participate in an official ATS activity will notify the ATS Executive Director if they are not in good standing within their profession.² The society also reserves the right to ask all candidates seeking participation in official ATS activities to disclose any information that might reasonably raise concern about professional and ethical misconduct. The society likewise reserves the right to act upon credible information pertaining to misconduct which may come to its attention through direct reports of alleged violations of this policy or through other channels such as news reports, internet notifications, and communications from other professional societies.

¹ For example, the American Medical Association Principles of Medical Ethics.

² For example, those who have been barred from scientific or clinical activities due to proven intentional, knowing or reckless misconduct, including but not limited to plagiarism, fabrication or falsification of research data, fraudulent clinical billing, and crimes occurring in the context of professional practice.



Violations: The following represent violations of the professional standards expected of ATS members, candidates and non-members participating in official ATS activities and may provide justification for imposition of sanctions:

- Felony conviction;
- Suspension or involuntary termination of a professional license, hospital privileges, faculty appointment or training program;
- Professional censure or reprimand by official bodies (e.g. state public health or other academic professional societies);
- Breaches of standards of ethical and professional conduct as noted above, whether self-reported or reported by the individual's institution, co-workers, another ATS member in good standing, ATS staff, other witnesses or victims of a violation, or public authorities
- A finding from a credible body such as the Federal government's Office of Research Integrity, other Federal, state, or governmental agencies (e.g., NSF, NIH), another professional organization, an academic institution, or a court of law, or an admission of conduct sexual harassment or other discrimination, harassment or retaliation that, in an employment context, would be prohibited by law, if directed at colleagues, subordinates, students, grantor representatives, teaching or research assistants, or others with whom the individual interacts as a result of the individual's profession.

Sanctions: Sanctions resulting from ethical and professional misconduct are specifically not intended to impact professional activities outside the scope of the ATS. Rather, these sanctions are intended to maintain the public's confidence in the ATS and its activities. Violations may jeopardize an individual's participation in the ATS and include sanctions such as:

- Suspension or termination of eligibility to participate in some or all official ATS activities;
- Suspension, termination, or denial of membership.
- Consider whether another professional society or entity needs to be notified (e.g., the individual serves on a joint guideline panel)

Adjudication of Sanctions: In accord with ATS by-laws, due process will be followed to ensure fairness when sanctions are considered. Adjudication will include the following steps:

- Any member may be subject to reprimand by a two-thirds vote of the Committee on Ethics and Conflict of Interest ("Ethics Committee") for violation of applicable conduct or conflicts of interest policies, in accordance with policies and procedures adopted by the Board of Directors from time to time. The Ethics Committee may, upon a two-thirds vote, recommend other discipline, including suspension or expulsion, to the Executive Committee, which shall have the authority to impose any discipline by a two-thirds vote.
- Any volunteer (whether a member of ATS or not) in an official ATS role, or proposed to ATS to do so, may be declared by ATS staff leadership and/or the Ethics Committee to be ineligible for that role pursuant to applicable conflicts of interest policies, in accordance with policies and procedures adopted by the Board of Directors from time to time. Examples of official volunteer ATS roles include, but are not limited to, serving on writing committees of official ATS documents, such as clinical practice guidelines, and presenting at official ATS conferences.



- Any volunteer holding a position appointed by the President may be removed from their Board, Committee, or other volunteer position by the President or subject to other discipline by the President in accordance with the Bylaws, or, for positions not addressed in the Bylaws, based on a finding by the Ethics Committee of a credible basis to believe that the volunteer acted in violation of this or other ATS conduct policies.
- A volunteer holding a position as a result of election by the Board of Directors, the membership, or any membership group may be removed from their Board, Committee, or other volunteer position in a summary suspension imposed by the Ethics Committee or may be subject to other discipline under any procedures that are permitted by the Bylaws and applicable law.
- The Society may inform the employer or home institution of the Covered Person or sister organizations of the existence and status of any disciplinary proceeding by the Ethics Committee, Executive Committee, or Board of Directors and may inform any third party of the final decision and any sanction imposed in any disciplinary proceeding.



COMPLAINT FORM FOR REPORTING HARASSMENT AND DISCRIMINATION

If you believe that you have been subjected to harassment or discrimination, you are encouraged to complete this form and submit it to Rhina Guzman, Sr. Director, Human Resources by e-mail or in person. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting orally or in another manner, American Thoracic Society will complete this form, provide you with a copy and follow its harassment and discrimination prevention policy by investigating the claims as outlined at the end of this form.

COMPLAINANT INFORMATION

Name: _____

Work Address: _____ Work Phone: _____

Job Title: _____ Email: _____

Select Preferred Communication Method: Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name: _____

Title: _____

Work Phone: _____ Work Address: _____

COMPLAINT INFORMATION

1. Your complaint of harassment or discrimination is made about:

Name: _____ Title: _____

Work Address: _____ Work Phone: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.



3. Date(s) harassment or discrimination occurred:

Is the harassment or discrimination continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (oral or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____ Date: _____



Instructions for Employers

If American Thoracic Society receives a complaint about alleged sexual harassment, it will follow its harassment and discrimination prevention policy. An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

The findings of the investigation and basis for your decision will be documented along with any corrective actions taken and the employee and the individual(s) against whom the complaint was made will be notified. This may be done via email.



We help the world breathe[®]
PULMONARY • CRITICAL CARE • SLEEP

25 Broadway, 18th Floor, New York, NY 10004 U.S.
T. 212-315-8600 F. 212-315-6498 | thoracic.org

ATS 2019
International Conference
May 17-22, 2019
Dallas, TX
conference.thoracic.org