

PERSONAL AND CONFIDENTIAL

<i>For Office Use Only</i>	
Date Rec'd _____	By _____

INSTITUTE OF HAZARDOUS MATERIALS MANAGEMENT

REPORT OF POTENTIAL ETHICAL VIOLATIONS

Instructions:

This form, which is to be used to report potential violations of ethical requirements or standards of conduct established by the Institute of Hazardous Materials Management (IHMM), should be filled out completely and returned to the Executive Director of IHMM at 11900 Parklawn Drive, Suite 450, Rockville, MD 20852.

In accordance with Section 1.8 of the IHMM Management System Manual, *Complaints and Discipline Program*, everyone involved in the investigation or deliberations of these potential ethics violations shall use the utmost discretion and treat all documents and discussions as confidential.

The procedures for review of potential violations of IHMM ethical standards are set forth in Sections 1.8.5-1.8.8 of the IHMM Management System Manual. Please review this section prior to submitting this form (see pages 3-4).

Person Submitting This Report:

Name	
Address	
City, State, Zip Code	
Daytime Phone Number(s)	
E-Mail Address	

Suspect's Personal Information:

Name	
Address	
City, State, Zip Code	
Daytime Phone Number(s)	
E-Mail Address	

Violation Type and Brief Description of Allegations —

Please check the type of allegation you are making, and attach additional sheets with details as necessary:

	Actions alluded to as violations in the CHMM Code of Ethics
	Misrepresentation in the original application
	Fraud or other misconduct in the examination or recertification process
	Activities which discredit the profession
	Conviction of a felony not disclosed in the original application, or occurring after the filing of the application
	Inappropriate use of IHMM credential name, acronym, or logo
	Violations not listed above but warranting investigation

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Supporting Documentation (please list items to be submitted with this form):

The foregoing information is correct and complete to the best of my knowledge.

▶ _____
Signature of Person Submitting This Report Date

Reviewed by the following in accordance with Section 1.8 of the IHMM Management System Manual:

- Recommended to Professional Standards Committee on _____
[date]
- More information requested from submitter on _____; received _____
[date] [date]

▶ _____
Signature, IHMM Executive Director Date

Recommended Action:

▶ _____
Signature, Professional Standards Committee Chair Date

Excerpted from the

INSTITUTE OF HAZARDOUS MATERIALS MANAGEMENT (IHMM) MANAGEMENT SYSTEM MANUAL

1.8 Complaints and Discipline Program

1.8.1 Commitment to Ethical Standards

The Institute of Hazardous Materials Management is absolutely committed to maintaining the highest ethical standards in the profession.

1.8.2 Code of Ethics. No candidate for Certified Hazardous Materials Manager or Certified Hazardous Materials Practitioner may be certified or recertified until the appropriate Code of Ethics has been signed (see copies in the Candidate Handbooks).

1.8.3 Violations

Violations of the Code of Ethics will be considered grounds for censure, suspension, and/or revocation of the IHMM credential. Violations include, but are not limited to:

- a. Actions alluded to as violations in the appropriate Code of Ethics
- b. Misrepresentation with intent to deceive in the original application
- c. Fraud in the examination or recertification process
- d. Activities which discredit the profession
- e. Conviction of a felony not disclosed in the original application or occurring after the filing of the application
- f. Potential conflict of interest cases that arise concerning Board Directors or other IHMM Committee volunteers.
- g. Inappropriate use of an IHMM credential name, acronym, or logo by a certificant.
- h. Continued use of an IHMM credential name, acronym, or logo by someone who is no longer certified.
- i. Violations of policies, procedures, guidelines, and requirements of IHMM.

1.8.4 Unauthorized Use

IHMM may pursue remedies of any appropriate nature for unauthorized use of the "Certified Hazardous Materials Manager," "CHMM," "CHMM (Ret.)," "Certified Hazardous Materials Practitioner," or "CHMP" designations. Unauthorized use includes:

- a. Use by any person who has never been certified by IHMM.
- b. Use by any person whose certification has expired or has been suspended or revoked.
- c. Use by an individual who has voluntarily relinquished the certification.
- d. Use of the CHMM or CHMP designation by a certificant who has adopted CHMM (Ret.) or CHMP (Ret.) status.
- e. Use of the "CHMM (Ret.)," or CHMP (Ret.) designation by a certificant while continuing to practice (as defined in Section 1.12.4 below).

1.8.5 Filing a Complaint

1.8.5.1 Procedural Guidelines

- a. Everyone involved in any investigation or deliberation of an ethics violation charge shall use the utmost discretion and treat all documents and discussions as confidential.
- b. Charges of ethical violations shall be reported to the Executive Director of the Institute.
- c. Charges must be made in writing and must include the following information:
 - i. Name of the accused certificant and his or her address, if known.
 - ii. Name of the accuser, address, telephone, and email contact information.
 - iii. Description of the allegations and any documentary evidence relating to the alleged violation.
- d. Upon receipt of the charges, the Executive Director shall examine all records in IHMM's possession which bear upon the case, and submit copies of the charges and any pertinent information to the Chairperson of the Professional Standards Committee (PSC). The PSC will review the information supplied by the Executive Director to determine whether there are sufficient grounds for proceeding with a 90-day fact-finding investigation.

1.8.6 Disciplinary Procedures

1.8.6.1 Investigation

- a. If the PSC decides to proceed with an investigation, the Chairperson shall contact the accuser to confirm the information supplied and to determine whether additional information is available.
- b. The Chairperson shall then notify the accused of the complaint lodged against him, and of the right to submit information in his defense. The accused will have 60 days to reply, and may request an appearance before the PSC.
- c. During this time, the PSC will independently investigate the allegations made.

1.8.6.2 Recommendation

- a. At any point after the receipt of the accused's response, or after the end of the 60-day response period, the PSC shall convene to discuss all the information gathered and formulate a recommendation.
- b. If the accused has requested an appearance, it must be held at a location chosen by the PSC before any deliberations begin.
- c. In deliberating the charges, the PSC will give proper consideration to the rights of the accused and, if reasonable doubt exists, may recommend action in favor of the accused (i.e., dismissal of the charges) by a majority vote.
- d. If, after careful review, the PSC finds that disciplinary action is warranted, it must agree by at least a three-fourths majority on the type of action to be recommended. Such action may consist of one of the following:
 - i. Censure -- written warning to the violator
 - ii. Suspension -- one-to-three years depending on severity
 - iii. Revocation of the certification
- e. The Chairperson shall promptly communicate the recommendation, including any dissenting opinions, to the IHMM Board of Directors for its review and action.

1.8.7 Decision

- a. The IHMM Board of Directors shall consider the recommendation and, if necessary, request further clarification from the PSC before taking final action.
- b. The Board is not bound by the recommendations of the PSC and may take action other than that recommended by the PSC.
- c. After the Board has reached a determination, the accused shall be notified in writing within ten days; the notification shall also advise him of the procedure for appeal.
- d. Copies of the decision shall also be sent to the Chairperson of the PSC and to the Executive Director.

1.8.8 Appeal Process

- a. The accused may appeal the decision within 30 days by submitting new information to the IHMM Executive Office.
- b. The appeal and any related documentation shall be forwarded by the Executive Director to the IHMM Board of Directors.
- c. The IHMM Board may reconsider the case or it may refer it back to the PSC for reinvestigation.
 - i. If the Board decides to reconsider the case, it shall act within 30 days.
 - ii. If the case is referred back to the PSC, it shall have 60 days to conduct a new investigation and arrive at a recommendation for the Board.
 - iii. After receiving the PSC's recommendation, the Board shall act within 30 days.
 - iv. The Board's decision on an appeal shall be final.

1.8.9 Publication

IHMM shall publish all sanctions in its newsletter and on its website.

- a. Publication shall include the name of the certificant, the section of the Code of Ethics violated, and the sanction(s) imposed.
- b. IHMM shall also notify any affected national, regional, state or local professional association and those licensing or certifying authorities who are known by IHMM to rely upon the certificant's status in good standing for participation in membership or regulated activities.
- c. Upon request, IHMM shall also provide such report to any interested person or public agency, in the interest of protecting the public.