

NEVADA WATER ENVIRONMENT ASSOCIATION MEMBER CODE OF CONDUCT

The Nevada Water Environment Association (hereinafter referred to NWEA) is committed to providing a professional, safe, and welcoming environment for all members. Members are expected to uphold NWEA's commitment to providing and supporting a positive environment for all NWEA members and others affiliated with NWEA.

NWEA's Member Code of Conduct ("MA Code") provides NWEA members best practices and guidelines for standards of conduct. Members agree they will adhere to these standards at all times. NWEA's MA Code applies to any and all conduct and communication of a member involving other MA members, staff, contractors, or non-member participants of the MA (collectively "MA Participants") in connection with or resulting from any MA-related business, activity, or at MA Functions, as defined below.

All conduct and all communications arising out of or resulting from MA business or activities that are related to the MA or to MA members, including but not limited to conduct and communications at Member Association or MA-affiliated functions, or member representation of the MA at a non-MA function or in MA business (collectively referred to as "MA Functions"), are expected to be in accordance with this MA Code.

Further, NWEA may establish a code of conduct for specific MA Functions that may apply to a broader group in attendance at the specific function. MA members attending these specific functions must follow that specific MA function's code of conduct, related terms, and conditions, as well as NWEA's MA Code.

NWEA's MA Code governs conduct of NWEA MA members and will be enforced by NWEA. As such, this MA Code does not give rise to a legal cause of action, create a presumption or serve as evidence that a legal duty has been breached or form the basis for governmental enforcement proceedings.

WEF and Member Association Code of Conduct Interactions

To the degree that membership in WEF is required or desired for a NWEA member, the WEF Member Code of Conduct ("WEF Code") extends to the MA membership and its programs and activities, in addition to any additional code of conduct adopted by the MA. Complaints submitted to WEF, and actions to address WEF member misconduct issues occurring at any WEF Functions, as defined in the WEF Code (and inclusive of WEF member participation in MA functions), are under the jurisdiction of WEF. When multiple codes of conduct exist, the WEF Code will be primary for the WEF member and will take precedence for decisions affecting WEF membership followed by other codes that may apply to the member. WEF will communicate information on complaints of WEF member misconduct to any affected MA, as appropriate, and discuss impacts to the MA, if any. NWEA will also notify the WEF Executive Director of any misconduct concerns or related actions being contemplated at the MA level for a WEF member.

WEF's Member Code of Conduct, associated forms and related policies can be found at: <https://www.wef.org/about/about-wef/wef-policies/>.

NWEA MA-Only members are not WEF members; therefore, they are subject to NWEA's Member Code of Conduct ("MA Code"), or to any MA rules of conduct outlined in the MA governing documents. The MA will handle any misconduct issues with MA-Only members independently from WEF using their own disciplinary procedures/processes and forms.

Expectations of MA Members

As a condition of membership, NWEA expects members to demonstrate their commitment to core values by conducting themselves consistent with the following principles including but not limited to exhibiting common courtesy and civility; acting in a business like, ethical, and professional manner; supporting diversity, equity and inclusion; and refraining from discriminatory or harassing behavior directed toward any MA Participants as defined earlier in this MA Code.

Misconduct

NWEA identifies types of misconduct and makes determinations on whether a member engaged in misconduct. This MA Code applies to conduct while an individual is a MA member and addresses misconduct in three general areas: Personal Misconduct, Professional Misconduct, and Legal Misconduct. The examples set forth below are representative of misconduct in these areas; however, misconduct is not limited to these examples.

Personal Misconduct

- Threatening (physically and/or verbally), engaging in demeaning gestures and/or language, stalking, physically or verbally abusing, or using combative language toward any MA Participants (as defined earlier in this MA Code) in any communications including but not limited to those communications arising out of, or related to, any MA business or activity or at any MA Function as defined earlier in this MA Code. This applies to contact in person, by email, telephone, social media, or any other media regardless of whether the contact occurs at MA Functions, or the subject matter relates to the MA.
- Harassing or discriminating against any individual, including but not limited to making negative comments, insults, offensive jokes, using ridicule or mockery, slurs or name calling, or making physical assaults or threats, or otherwise exhibiting prejudice on the basis of that person's race, color, sex, pregnancy/maternity or related medical conditions, gender identity/expression, sexual orientation, religion, age, ethnic or national origin, ancestry, citizenship, marital or family status, disability or perceived disability status, genetic

information, veteran status, or any other legally protected characteristics in accordance with applicable law.

- Endangering the health or safety of others, including but not limited to the brandishing of firearms, explosives, chemicals, or other weapons or the threat (substantiated or implied) of using such weapons, tampering with safety systems (such as fire-fighting equipment), turning in a false alarm, or engaging in behavior that constitutes a fire hazard at MA Functions.
- Subjecting another person to physical conduct (except self-defensive conduct) or sexual attention which that person perceives as offensive or unwelcome.
- Engaging in lewd, indecent, disruptive, or disorderly conduct (including such conduct which results from a member being under the influence of alcohol or drugs) at MA Functions.
- Being arraigned, indicted, or convicted (by a judge, jury, or plea agreement) of a felony or a crime which is violent, dangerous to others, or is vile or depraved in nature arising out of the member's personal conduct.

Professional Misconduct

- Being arraigned, indicted, or convicted (by a judge, jury, or plea agreement) of a crime relating to or arising out of the member's professional/work conduct.
- Failing to keep secure or to properly use MA confidential information and MA member personal data which the member may have access to in connection with MA activities.
- Showing unwelcome sexual attention, including inappropriate use of nudity and/or sexual images, in public spaces or presentations.
- Disrespecting other persons' views, including intentionally interrupting others while they are speaking, disrupting MA Functions, and failing to comply with MA Functions moderators.
- Providing gratuities, gifts, or favors in an attempt to impair professional judgement or obtain special advantage over members.
- Failing to comply with any MA policy which may be applicable to such member, including but not limited to the code of conduct, terms, and conditions which may apply to participation in specific MA Functions.

Legal Misconduct

- Being arraigned, indicted, or convicted (by a judge, jury, or plea agreement) for violations of national, regional or local laws or regulations.
- Harassing or discriminating against any individual on the basis of that person's race, color, sex, pregnancy/maternity or related medical conditions, gender identity/expression, sexual orientation, religion, age, ethnic or national origin, ancestry, citizenship, marital or family status, disability or perceived disability status, genetic information, veteran status, or any other legally protected characteristics in accordance with applicable law.
- Violating national, regional, or local regulations regarding the purchase, possession, or consumption of alcoholic beverages, including the furnishing of alcoholic beverages to minors, at MA Functions.
- Possessing, distributing, or selling illicit drugs, as may be prohibited by law, at MA Functions, unless such drugs are permitted to be possessed in the locale of the MA Function.
- Violating any statute, governmental regulation, or disciplinary action by any licensing or other authority, relating to, or arising out of, the member's work.
- Engaging in fraud, money laundering, misappropriation of MA funds or other similar issues.
- Failing to comply with antitrust regulations in connection with MA activities.
- Engaging in unauthorized use of tangible or intellectual property.
- Intentionally or recklessly defacing public or private property at MA Functions.

Complaints

Any MA Participant may bring a complaint against any MA member if they believe, in good faith, that the member engaged in conduct in violation of the MA Code. Anonymous complaints are not acceptable. Complaints must be submitted in writing using the MA Member Code of Conduct Complaint Form. Members engaging in misconduct are subject to disciplinary action as outlined in the MA's member discipline policies.

Instances of misconduct that require immediate attention during MA Functions should be brought promptly to the attention of MA Executive Board Members attending the MA Functions.

Agreement

Application for, or renewal of, membership, signifies the individual accepts the following agreement that is applicable to their membership type:

WEF/MA Membership Type

As a WEF member, I agree to abide by the WEF Member Code of Conduct (“WEF Code”). To the degree that membership in a Member Association (MA) is required, the Code extends to that MA membership and its programs and activities, in addition to any code of conduct adopted by the MA. I understand that participation in WEF is a privilege and is not a right and that WEF may take disciplinary action against me pursuant to the WEF Member Discipline Policy for any violations of the WEF Code. I understand that membership may be revoked with just cause or other disciplinary action may be taken against me. I agree that my participation in WEF will be at my sole and exclusive risk, and I (and anyone claiming on my behalf) hold harmless WEF, its Trustees, and staff from any damages, claims, loss, and liability from my participation in any program, activity or WEF Functions.

MA Only Member Type

As a MA Only member, I agree to abide by the NWEA Member Code of Conduct (“MA Code”). I understand that participation in the MA is a privilege and is not a right and that the MA may take disciplinary action against me pursuant to disciplinary processes or procedures for any violations of the MA Code. I understand that membership may be revoked with just cause or other disciplinary action may be taken against me. I agree that my participation in the MA will be at my sole and exclusive risk, and I (and anyone claiming on my behalf) hold harmless NWEA, its Executive Board, and staff from any damages, claims, loss, and liability from my participation in any program, activity, or MA Functions.

NEVADA WATER ENVIRONMENT ASSOCIATION MEMBER DISCIPLINE POLICY

A. General Policy Statement

Membership in NWEA is a privilege and not a right. NWEA is committed to providing a professional, safe, and welcoming environment for all members.

Members of NWEA who are also members of WEF are subject to the WEF Member Code of Conduct (“WEF Code”) and are subject to the WEF Member Discipline Policy for violations of the “WEF Code”. Detailed information is included in the WEF Member Code of Conduct, WEF Member Discipline Policy, and related forms located at <https://www.wef.org/about/about-wef/wef-policies/>.

Members of NWEA, who are not members of WEF, are subject to discipline under this policy if the member’s conduct conflicts with the NWEA Member Code of Conduct (“MA Code”) Violations which have not been addressed through WEF’s Code and/or disciplinary actions may be subject to discipline under this MA policy. This MA Discipline Policy solely governs disciplinary proceedings applicable to MA-only members who are not also members of WEF.

This policy outlines NWEA’s process for investigating and taking disciplinary action against a NWEA member for violations of the MA Code. The Executive Board is the governing body of NWEA and holds legal and fiduciary authority on behalf of NWEA and its membership including the authority to discipline members, up to and including expulsion from NWEA.

B. Member Discipline Procedure

If the individual accused of exhibiting perceived conduct violations is a WEF member, please refer to the WEF’s Member Code of Conduct (“WEF Code”) and WEF’s Member Discipline Policy for guidance on submitting a Complaint to WEF and the steps that will be undertaken by WEF in an investigation. The procedures in the following paragraphs and sections outline NWEA’s process for investigating and taking disciplinary action against a NWEA member for violations of the NWEA Member Code of Conduct (“MA Code”) when this MA member is a MA-only member and is not a member of WEF.

Any person (“Complainant”) may bring a complaint against any member (“Respondent”) if they believe in good faith that the Respondent violated the MA Code. Complaints must be in writing, submitted on a NWEA Member Code of Conduct Complaint Form (“Complaint”), provide all facts upon which the complaint is based, provide any supporting documentation, and be delivered to President by regular mail or email. The President will acknowledge receipt of the Complaint to the Complainant and will also alert WEF’s Executive Director, as appropriate, of the existence of a complaint, on a confidential basis, after first ensuring the WEF ED does not have a conflict of interest in connection with the Complaint or, if so, to an alternate contact for WEF.

If the Complainant is filing a Complaint against the President of the MA or feels that there is concern or conflict of interest with the involvement of the President, the Complaint may be filed with the Chair of the Certification Board (“Chair”). The Chair will then assume the role of the President outlined above and below and conduct the investigation process in their stead.

MA Ethics Committee

Following the receipt of a Complaint, an ad hoc MA Ethics Committee (hereinafter referred to MAEC) will be formed by the President. After ensuring that no MAEC will have a conflict of interest in connection with the Complaint, the President will select five members to participate in the MAEC with two members of the Executive Board, one member of the Certification Board, and two committee chair members. Upon selection, all are required to sign a confidentiality and non-disclosure agreement. The President will share the Complaint with the MAEC on a confidential basis. The MAEC will consider whether the Complaint is sufficient, and the alleged conduct is within the scope of the MA Code. If the Complainant is a witness (third-party) to a violation of the MA Code that occurred, the individual who was directly affected will be asked, but is not required, to participate in any needed MAEC investigation along with the Complainant.

If the MAEC determines that the conduct alleged is outside of the scope of the MA Code, or that the Complaint is incomplete or insufficient, the MAEC will dismiss the Complaint and so notify Complainant providing enough detail about the reasons for dismissal to support the Complainant in preparing an amended Complaint, if desired. Complaints deemed by the MAEC to be incomplete or insufficient may be corrected and resubmitted by the Complainant.

If the MAEC determines that the Complaint is sufficient, and that the conduct falls within the scope of the MA Code, the MAEC, through the President will provide notification, in writing and marked “Personal and Confidential – To Be Opened Only by the Addressee”, to the Respondent, including a copy of the Complaint, a copy of this Policy, a copy of the MA Code, and all relevant facts and documents. Notification to the Respondent is sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. NWEA shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to submit a written response to the MAEC on the Complaint or to request an extension of time in which to respond; the response should be sent to the President by email or by regular mail. The President will acknowledge receipt of the Respondent’s response.

Upon the MAEC’s receipt of the Respondent’s response or, if none, 31 days or more after the delivery of the Complaint notice or the final delivery attempt date

of the notice, the MAEC will meet to review the Respondent's response (if any) and any additional information obtained. The Respondent will be invited to participate for up to a 30-minute portion of the meeting to present their viewpoint via a virtual/teleconference connection. The MAEC will then decide, by a majority vote, whether the Respondent violated the MA Code. If the MAEC determines that the Respondent did not violate the MA Code, the Complaint is dismissed, and the Respondent, WEF (if applicable), and the Complainant are notified in writing. If the MAEC determines that the Respondent violated the MA Code, the MAEC decides by majority vote on the disciplinary action(s) against the Respondent to recommend to the Executive Board.

NWEA Executive Board

The MAEC's recommendation for disciplinary action is sent to the Executive Board for review in an email addressed to eboard@nwea.org after first ensuring no Executive Board member has a conflict of interest in connection with the Complaint. The Executive Board determines, by a majority vote, whether to accept the MAEC's recommendations; to modify the MAEC's recommendations; or to send the matter back to the MAEC for further consideration of any discussion and/or new information. If a conflict of interest has been identified on the Executive Board, the MAEC will send their recommendation to the other members of the Executive Board by their direct emails and also include a description of the conflict of interest and a recommendation for recusal of that/those Executive Board Member(s)

If the Executive Board, by a majority vote, decides to take disciplinary action(s) against the Respondent, the Respondent, the Complainant, and WEF (if applicable) are so notified by the President. Notification to the Respondent is sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. NWEA shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to file an appeal ("Appeal"), or to request an extension of time in which to file an Appeal, by submitting the MA's Member Code of Conduct Appeal Form. The President will acknowledge receipt of the Respondent Appeal Form. Only the Respondent has the right to appeal the Executive Board's decision. If an Appeal is not filed, or is not timely filed, the Executive Board decision is final, and NWEA implements the disciplinary actions against the Respondent.

If the Executive Board, by a majority vote, decides not to take any disciplinary action, the Respondent, the Complainant, and WEF (if applicable) are so notified in writing by the President.

Appeal Panel

If the Respondent's appeal is timely filed, an appeal panel ("Appeal Panel") is appointed by the President in consultation with the MAEC. The Appeal Panel

consists of 3 committee chairs or certification board members who were not involved with the initial investigation or decision after first ensuring no Appeal Panel member has a conflict of interest in connection with the Complaint. All members of the Appeal Panel, upon selection, are required to sign a confidentiality and non-disclosure agreement. The Appeal Panel is provided with the NWEA Member Code of Conduct Appeal Form and all available information related to the Complaint as received by the MAEC and reviewed by the President. The Appeal Panel will review all information provided and the Executive Board's decision.

Through the President, Respondent is notified in writing of the opportunity to submit any additional information, and to request to present their response directly to the Appeal Panel via a virtual/teleconference meeting. Notification to the Respondent is marked "Personal and Confidential – To Be Opened Only by the Addressee," and sent in a manner that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts. NWEA shall make up to three (3) delivery attempts over a time period not to exceed three weeks. The Respondent has 30 days from their receipt of the notification, or if delivery is not accepted, from the final delivery attempt date, to submit any additional information or to request an audience with the Appeal Panel. Following review of information and the response from the Respondent, if any, and completion of any requested audience with the Respondent, the Appeal Panel decides, by majority vote, to confirm the Executive Board's decision, or to modify the Executive Board's decision and impose a lesser (not greater) disciplinary action.

Through the President, the Respondent, the Complainant, and the WEF (if applicable) are notified in writing of the Appeal Panel's decision, and NWEA implements the Executive Board's disciplinary actions, if any, against the Respondent. Notification to the Respondent is marked "Personal and Confidential – To Be Opened Only by the Addressee" and sent in a manner and that provides proof of delivery (such as certified mail or other similar signature required postal or delivery services) and records of delivery attempts.

The decision of the Appeal Panel is final.

C. Disciplinary Actions

Should it be determined that there was a violation of the MA Code, the MAEC can recommend, and the Executive Board can implement, disciplinary actions against the Respondent including, but not limited to, any individual or combination of the following disciplinary actions:

- a) Issue a Letter of Censure to Respondent. The Letter of Censure is a written reprimand that specifies the nature of Respondent's misconduct

and informs the Respondent that further disciplinary action may be taken if misconduct is not corrected.

- b) Restrict or ban participation in MA events and/or activities for a specified period. The period may be limited or unlimited in duration.
- c) Suspend or remove from MA leadership positions, committees, or other workgroup/task forces/panels for a specified period. The period may be limited or unlimited in duration.
- d) Hold the Respondent personally liable for restitution if damage occurs due to the Respondent's action.
- e) Retract MA awards, grants, or scholarships to the Respondent. The retraction of MA awards, grants, or scholarships presented to Respondent will include termination of any funding commitments to the Respondent.
- f) Suspend Respondent's MA membership for a specified period. Suspension may or may not include a requirement that the Respondent must apply to the EC for reinstatement of membership after the suspension period is over. The requirement to apply for reinstatement will be based on the EC's determination of the severity of Respondent's misconduct.
- g) Terminate MA membership with no opportunity to reapply for membership.