



GRIEVANCE PROCEDURE

Preamble

The AIA believes it to be in the best interest of all archaeologists to ensure that the highest standards of professional and ethical conduct are followed in all archaeological research. Therefore, it is incumbent upon the AIA as an institution to lend its weight to that effort, while recognizing that the AIA's jurisdiction is limited to its membership. In pursuing the procedures outlined in this section, the AIA will make all efforts to resolve each grievance as quickly as possible with the utmost concern for the goal of reconciliation and to respect the legitimate professional and privacy concerns of the individuals involved. We encourage complainants, in appropriate situations, to address their concerns first to the grievance office of any appropriate academic or research institution(s). These grievance procedures concern violations of the Code of Professional Standards by AIA members; they do not apply to the conduct of AIA employees in carrying out duties arising from their employment.

Informal Resolution

- 1.1. An Ombudsperson will be appointed by the Vice President for Professional Responsibilities from among the members of the Professional Responsibilities Committee of the AIA in consultation with the Executive Committee of the AIA. The Ombudsperson will serve for a term of three years.
- 1.2. In the event of the inappropriateness of the Ombudsperson to act for any reason with respect to a specific case, the Vice President for Professional Responsibilities will appoint another individual to serve as temporary Ombudsperson in that case.
- 1.3. The role of the Ombudsperson is to assist in the amicable resolution of complaints by helping AIA members find the appropriate information, person, office or committee; to mediate among disagreeing parties and to facilitate communication; to educate members of the AIA concerning the Code of Professional Standards; and to seek by every means possible a conciliatory and collegial resolution of disputes among AIA members.
- 1.4. The Ombudsperson will accept any allegation of violation of the Code of Professional Standards which is submitted in writing and signed. The Ombudsperson will make an initial determination as to whether the complaint is appropriate for resolution through the AIA grievance procedure and whether the complaint has any merit. If the complaint is not deemed appropriate or has no merit, the Ombudsperson will dismiss the complaint. The Ombudsperson may also refer the complaint to an academic or research institution which employs or is associated with the individual against whom the complaint was brought.
- 1.5. The Ombudsperson will then attempt to handle an appropriate, apparently meritorious complaint through any available means of informal resolution. The Ombudsperson will have responsibility for carrying out the policy of the AIA to resolve as many complaints as possible at this stage through such informal means as discussion, education, and individual meetings among the individuals involved.
- 1.6. If the Ombudsperson does not dismiss the complaint and if an informal resolution is not possible, then the Ombudsperson will refer the matter to the Vice President for Professional Responsibilities who will convene a grievance panel consisting of three members to consider the complaint.
- 1.7. The Ombudsperson will only accept complaints made within three years of the termination of any alleged misconduct. The complaint must refer to misconduct which occurred while the individual concerned was a member of the AIA and after the effective date of the Code of Professional Standards. The Ombudsperson will not accept any complaint brought against an institution, university, college, or foreign school.

Grievance Panel

2.1. The Vice President for Professional Responsibilities will maintain a roster of individuals who are members in good standing of the AIA and who have indicated their willingness to serve on a grievance panel. The roster will represent a diversity of disciplines and geographic areas.

2.2. When a case has been referred to a grievance panel for consideration, the Vice President for Professional Responsibilities will select three individuals from the roster to serve on the panel. In making these selections, the Vice President for Professional Responsibilities will appoint members who, in her or his opinion, have the necessary expertise to evaluate the complaint properly. The Vice President for Professional Responsibilities will also attempt to avoid any conflict of interest or appearance thereof. The three members of the grievance panel will choose one of their number to act as Chair of the grievance panel.

2.3. The grievance panel will conduct an investigation, prepare a report, and recommend one of several possible courses of action: dismissal of the complaint; a remedy which is agreed upon by the panel and the individual who allegedly violated the Code; or, only if all attempts at amicable conciliation fail, referral to an arbitration panel.

2.4. The Chair will establish a calendar for the investigation process and inform all interested parties. The investigation will be conducted expeditiously and, to the extent possible, in confidence. The Chair of the grievance panel will have authority to establish the procedures by which the panel will conduct its business.

2.5. Once the complaint has been referred to a grievance panel, the individual who allegedly violated the Code is entitled to be represented by any individual of her or his choice and is entitled to have access to all relevant materials and documents.

Arbitration Panel

3.1. The arbitration panel will consist of three members: one arbitrator appointed by the Vice President for Professional Responsibilities, one arbitrator chosen by the individual archaeologist against whom the complaint was made, and a third arbitrator to be selected by the first two arbitrators. If the two arbitrators are unable to agree in their selection of a third arbitrator within 60 days, then the Vice President for Professional Responsibilities will select the third arbitrator.

3.2. The Chair of the grievance panel or an individual appointed by the Chair will act as AIA Presenter. Both the AIA Presenter and the individual archaeologist who allegedly violated the Code may present evidence, including witnesses, may cross-examine the other party's witnesses, and may be represented by legal counsel. The AIA will bear any costs incurred by the AIA Presenter, and the individual archaeologist who allegedly violated the Code will bear her/his own costs.

3.3. The panel of three arbitrators will decide the issue and their decision, by majority vote, will be final and binding. The arbitration panel will have authority to propose a solution ranging from dismissal of the complaint to termination of membership in the AIA and relevant privileges of membership.

3.4. If the individual archaeologist against whom the complaint was brought fails to respond to the initial inquiries of the Ombudsperson or fails to abide by the decision of the arbitration panel, this will be grounds for termination of AIA membership.

Formal Resolution

Every effort will be made to resolve the grievance at either the first or second phase and with respect for confidentiality. At every phase, all possible steps will be taken to avoid conflicts of interest or the appearance of conflicts of interest and to protect the legitimate concerns and rights of all individuals involved in the matter.

4.1. If at any time, the individual who allegedly violated the Code chooses to resign from the AIA, then all grievance proceedings will be terminated.

4.2. An individual who resigns from the AIA while a complaint is pending against her or him may not apply for membership in the AIA for at least three years from the time of the resignation. Any membership application of an

individual who resigned while a complaint was pending against him or her must be submitted to the Vice President for Professional Responsibilities for review and recommendation as to whether and on what terms the application may be accepted.

4.3. The Ombudsperson will report each year to the Governing Board on the number of complaints filed, brought to completion, and dismissed. This report may be printed in the *AIA Newsletter* at the discretion of the Executive Committee.