

**PATERSON–PASSAIC COUNTY– BERGEN COUNTY HIV  
HEALTH SERVICES PLANNING COUNCIL**

**CODE OF CONDUCT  
POLICY & PROCEDURES<sup>i</sup>**

**Purpose and Scope**

This *Code of Conduct* describes the behavior required of all Planning Council members and other official meeting participants at all meetings and activities associated with the work of the Planning Council.

The *Code of Conduct* is designed to ensure respectful and appropriate behavior at Planning Council and committee meetings as well as other events conducted by the Planning Council. Provisions of the Code of Conduct are designed to ensure that the Council can be productive, open to community input, and respectful of its members and visitors. The Code helps to create a positive, non-judgemental environment to protect all members and public participants from inappropriate and disruptive behavior.

**Applicability**

The *Code of Conduct* applies to Planning Council members and to non-members who serve on standing committees, subcommittees, task forces and workgroups.

**Approval and Implementation**

The Planning Council establishes, approves and secures member acceptance of the Code of Conduct.

1. The *Code of Conduct* shall be presented and reviewed at each New Member Orientation and at the Planning Council's Annual Meeting.
2. Planning Council members serving at the time of adoption of this *Code of Conduct* must sign and submit the *Code of Conduct* Affirmation and Pledge Form during the next regularly scheduled Planning Council meeting. If absent, a member must sign the form and submit it to the Planning Council, prior to the next following meeting.
3. Non-Planning Council members of standing committees, subcommittees, task forces and workgroups. must sign and submit the *Code of Conduct* Affirmation and Pledge Form at the next regularly scheduled meeting.
4. Planning Council Staff shall maintain all *Code of Conduct* Affirmation and Pledge Forms.

## **Required Conduct by Planning Council and Committee Members at all Council Events**

Planning Council, standing committees, subcommittees, task forces and workgroups members are expected to follow these rules of conduct in all meetings and other Planning Council-related events:

1. Conduct themselves in a professional and courteous manner at all times.
2. Follow the laws and regulations governing the City of Paterson, County of Passaic and County of Bergen and the Planning Council's Bylaws.
3. Follow the Council's Conflict of Interest Policies and Procedures, assist the chair of the meeting in ensuring that they are consistently followed, and conduct themselves in a manner that prevents perceived, as well as, actual conflicts of interest.
4. Address others with respect – as intelligent people with a right to be a part of discussions and decision making – so that everyone has the opportunity to speak and to be listened to, without interruption within the Council's time limits.
5. Follow any additional procedures for discussion that may be set by the meeting Chair, such as limiting the length of individual presentations and setting reasonable time limits on debate. The Vice Chair will be responsible for helping to ensure that the *Code of Conduct* is followed during Planning Council and Steering Committee meetings. The Chair or Vice Chair of a committee will play this role in committee meetings.
6. Recognize the authority and follow the direction of the meeting Chair. Do not disrupt a meeting or encourage or assist Council members or members of the public to do so.
7. Cooperate with the agreed-upon decision-making process – whether majority rule, some form of super majority (e.g., two-thirds vote) if specified in the Bylaws. Unless otherwise determined, decision making will be done using Robert's Rules of Order.
8. State disagreements about issues without engaging in personal attacks, becoming violent, menacing, physically threatening or verbally combative or abusive in manner.
9. Follow and support decisions made by the body, regardless of their personal position.
10. Serve as both an advocate and a planner, recognizing a responsibility to both present the concerns of specific communities or population groups, and make decisions that are data-based and reflect the overall needs of people living with HIV disease in the TGA.
11. Do not disclose personal information about any Planning Council or committee or subcommittee member – such as the HIV status of anyone who is not publicly disclosed or medical or personal/personnel information that would constitute an invasion of privacy – that was obtained through their professional or Planning Council relationships and activities
12. Act on behalf of all PLWHA in the TGA, not to benefit the member or any funded entity.

13. Refrain from asking questions, requesting information, or making comments about the performance or funding of individual Part A provider agencies. Dealing with specific providers involves procurement and contract management and is the responsibility of the grantee. Members may, however, request information about performance and expenditures related to a service category, regardless of the number of providers in that category.

14. If they feel they cannot support the mission, goals, strategies, programs, and/or leadership of the Council and committees as agreed upon by the members, resign or decline involvement in the affected matter.

15. Take responsibility not only for following the *Code of Conduct* personally, but also for speaking out to ensure that all participants follow it.

### **Representation/Communications**

Except as stated otherwise in the Bylaws, the only authorized official representatives of the Planning Council are the Chair and the Vice Chair.

1. The Chair and/or the Vice Chair may represent the Planning Council in public. This includes representation to the press, public, and in any situation where the official input of the Planning Council is needed.

2. Committee Chairs may represent their committee only, and only to other members of the Planning Council, except when authorized by the Planning Council to represent it.

3. Other members shall represent only themselves, unless properly authorized by the Planning Council or a committee to represent the Planning Council or the Committee, respectively.

### **Planning Council and Committee Sanctions**

The following measures may be taken if a Planning Council or committee member fails to comply with the *Code of Conduct* stipulated above.

1. When a Planning Council or committee member violates this *Code of Conduct* in a meeting, the meeting Chair is expected to inform him/her that the behavior is unacceptable. Others in attendance are expected to support the Chair in ensuring that everyone follows the *Code of Conduct*. If inappropriate behavior continues and the Chair feels it will disrupt the process, s/he may ask the individual to leave the meeting. Prior to removing the individual, the Chair of the meeting shall publicly state the reason for removal.

2. If a committee or task force member violates the *Code of Conduct*, the Confidentiality Policy or other Council policies during committee meetings, the Committee Chair may request that the Planning Council Chair remove this individual as a committee member. The member will be suspended from Committee attendance and participation while the request for removal is pending.

3. If a Planning Council member continually violates the *Code of Conduct* in Planning Council meetings or other events, s/he may be recommended to the Mayor's Office for "removal for cause" in accordance with the provisions for such removal stated in the Bylaws. If the member is recommended by the Planning Council for removal, s/he will be suspended from participation until action by the Mayor's Office of Boards and Commissions.

4. If the individual feels that s/he has been treated unfairly, s/he may express this concern to the Steering Committee, which will attempt to resolve the situation informally. If unable to do so, the Steering Committee will inform the individual of his/her right to pursue his/her complaint using the Planning Council's Grievance Policy.

### **Required Conduct by Members of the Public at Planning Council Events**

#### ***Code of Conduct***

The following is *required* conduct by members of the public who attend Council or committee meetings or other Planning Council-sponsored events:

1. Members of the public are encouraged to attend and participate in meetings of the Planning Council, as well as, community events organized or supported by the Planning Council.
2. PLWHA members of the community are strongly encouraged to attend and actively participate in Planning Council meetings.
3. Members of the public are encouraged to attend and participate in committee meetings and to become regular, active members of committees that include non-Planning Council membership. This allows maximum opportunities for public input at an early stage in discussions.
4. Opportunity for public comment and contribution will be included in Planning Council meetings and events. Members of the public are expected to comply with the times and means for comment and input established by the Planning Council.
5. A Public Comment Period with a firm time limit will be provided at every regular monthly meeting of the full Planning Council.
6. Members of the public are expected to treat members and other guests with courtesy and respect at all times.
7. When speaking, members of the public are expected to follow any specified time limitations and to recognize the authority and follow the direction of the Chair of the meeting.
8. Members of the public may speak during the meeting only during Public Comment periods or when recognized and requested to do so by the Chair.
9. Members of the public should recognize that the Planning Council has no role in procurement or in monitoring the performance of specific Part A providers, and that concerns related to services provided by specific agencies should be addressed through the Agency's grievance policy, not the Planning Council. If not resolved satisfactorily, then the Grantee should be contacted.

## ***Public Sanctions***

The following measures may be taken if a member of the public fails to comply with the *Code of Conduct* stipulated above.

1. At any given meeting, a member of the public who repeatedly fails to follow these guidelines uses disrespectful language or otherwise disrupts meetings or events will be warned and, then if the behavior persists, will be asked by the Chair to leave the meeting. Prior to removing the individual, the Chair of the meeting shall state on the record the reason for removal. Other members will behave in a manner that supports the decision and action by the Chair.

2. If a member of the public repeatedly behaves disrespectfully or disruptively at multiple meetings, the Steering Committee may vote to recommend that the individual be excluded from future meetings. If the member of the public wishes to protest this decision, s/he may file a complaint using the same process stated in the Planning Council's Grievance Policy and Procedures.

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i. This Code of Conduct was adapted from the District of Columbia EMA Code of Conduct.