

# American Society of Biomechanics

## Code of Conduct

### A. Introduction

Membership in professional societies, including the American Society of Biomechanics (ASB), has implied expectations for ethical behavior in research, teaching, and service to all segments of society.

#### 1. People and Entities Who Are Covered by This Policy:

This Policy applies to all “Society Affiliates” meaning all categories of members of the Society and all other individuals, groups and entities that participate or are involved in any capacity in the activities in 2. below. For example, Society Affiliates include, but are not limited to, Society volunteer fiduciary leaders; other volunteers; officers; employees in all roles; all categories of members; event, meeting and other activity organizers, attendees, speakers, and exhibitors; contractors and service providers; guests; peer reviewers; and honors and awards nominators, candidates, and recipients and officers and other employees in all roles.

#### 2. Activities of Society Affiliates That are Covered by This Policy:

This Policy applies to all Society Affiliates in connection with their “Society-associated activities.” A “Society-associated activity” means:

- all activities and events sponsored, funded, or conducted in whole or in part by, or otherwise involving, the Society, wherever located;
- any use of Society property, funding or other resources, whether otherwise involving the Society or not (e.g., use/rental of Society staff for an activity unrelated to the Society);

and

- performance of, or holding, any Society role, responsibility, privilege, function, contract or other affiliation.

#### 3. Overarching Conduct Standards for Society Affiliates:

All members of and/or participants in Society-associated activities shall:

- Honor and respect the field of biomechanics by conducting oneself responsibly, ethically, and lawfully.
- Participate in respectful scientific debate.
- Hold paramount the safety, health, and welfare of the public.
- Provide truthful, accurate, relevant, and evidence-based information based upon competence in the subject matter and knowledge of the facts and disseminate without deception.
- Abide by the basic principles of respect of persons, beneficence, and justice and comply with regulations in accordance with each person’s institutional review board.
- Endeavor to increase the knowledge in the discipline and within reasonable limits of time and finance, shall make available that knowledge, skill, and training to the public for the benefit of all.
- Disclose any conflicts of interest and review the professional work of others fairly and in confidence.
- Recognize the contributions of others and not associate or allow the use of their name on enterprise known to be illegal, fraudulent or of questionable character.
- Participate in activities contributing to the improvement of the biomechanics community.

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The ASB is committed to fostering open dialogue and the exchange of scientific ideas, with mutual trust based upon honesty, integrity, and respect for all persons. It is the policy of the ASB that all participants attending both in-person and virtual ASB-sponsored activities (videoconference attendees or social media contributors) including attendees, vendors, ASB representatives, volunteers, and all other stakeholders will conduct themselves in a professional manner that is welcoming to all and free from any form of discrimination, intimidation, harassment, or retaliation. Creating a supportive environment to enable discourse is the responsibility of all members and all participants at ASB activities.

Inappropriate actions or statements based on individual characteristics such as age, religion, race, ethnicity, sexual orientation, gender identity, gender expression, marital status, nationality, political affiliation, ability status, educational background, or any other personal characteristic, or other disruptive or harassing behavior of any kind will not be tolerated. If a crime is being committed, please call the local authorities instead of following the ASB reporting policy.

Harassment is defined as inappropriate conduct that is based upon a person's age, color, disability, gender (including pregnancy), gender identity, gender expression, national origin, political affiliation, race, religion, sexual orientation, or veteran status and unreasonably interferes with the person's work or academic performance or participation in university activities, or creates a working or learning environment that a reasonable person would find hostile, threatening or intimidating.

Harassment can occur even if one person does not have institutional or leadership power over the other.

Harassment includes, but is not limited to:

- Verbal comments related to gender, gender identity and expression, sexual orientation, disability, physical appearance, body size, race, age, religion
- Sustained disruption of talks or other events
- Deliberate intimidation, stalking, or following
- Inappropriate photography or recording
- Sexual images in public spaces
- Inappropriate physical contact
- Unwelcome sexual attention
- Advocating for, or encouraging, any of the above behavior

Other, subtler types of behavior can also undermine a positive environment. These types of behavior may also violate the community standards and are unacceptable. Some examples include:

- Making dismissive or negative gestures when someone is speaking
- Talking over, cutting off, butting in, or discounting another person's contributions
- Refusing to speak to another person during meeting business

Not all behavior that is unpleasant or disconcerting is unacceptable, especially if it is necessary to carry out meetings or events. Science can, and arguably should, involve some tough communication among colleagues, but this should always be done in a respectful and measured way. Particularly in the context of maintaining event programming, attendees may be asked to contribute questions/comments after or between sessions. In the context of attendee safety, clear, sometimes aggressive, and direct communication may be necessary to ensure information is disseminated in an effective and timely

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manner. We encourage our members and attendees to provide positive and constructive feedback to other attendees with the goal of improving science and our field. These respectful and thoughtful interchanges among members are an essential part of building and maintaining our scientific community.

Conduct may be unacceptable even if the person engaging in it did not intend the conduct to be inappropriate or abusive. The characteristics and reasonably foreseeable effects of conduct, not the intention of the actor, will determine whether the conduct was unacceptable. Participants asked to stop any harassing behavior are expected to comply immediately.

Exhibitors in the expo halls, sponsor or vendor booths, or similar activities are also subject to the anti-harassment policy. In particular, exhibitors should not use sexualized images, activities, or other material. Booth staff (including volunteers) should not use sexualized clothing/uniforms/costumes, or otherwise create a sexualized environment. The clothing or demonstrations performed need to be based on the scientific aspects of the work or technology being demonstrated.

Messages delivered in the online environment, on social media or through web or video communications, are subject to the code of conduct. In particular, sexualized images, activities, or other materials should not be used.

If a participant engages in harassing behavior at an in-person or virtual event, forum, or other ASB-sanctioned activity, organizers retain the right to take any reasonable actions that are necessary to maintain a welcoming environment for all participants. This includes warning the offender or expulsion from the activity or the organization.

Event organizers may take action to redress anything designed to disrupt or with the clear impact of disrupting the event or making the environment hostile for any participants.

We expect participants to follow these rules at all event venues, all event-related social activities, and during any other ASB-sanctioned activities.

### **E. Disclosure Requirements**

#### **1. Disclosures**

All Society Affiliates are required annually to acknowledge and affirm in writing (disclose) that they have read and will abide by the Society Code of Conduct Policy and Investigation Policy during the membership renewal process. Some Society Affiliates are required to make additional disclosures on an annual basis and when there are changes. Other Society Affiliates are required to make additional disclosures before participating in a Society activity or performing any service for the Society, as well as annually and when there are any changes, so long as that activity or service continues. The required actions and form are available at <http://asbweb.ethicspoint.com>. All Society Affiliates are responsible for knowing and satisfying these requirements.

Society Affiliates that are members/prospective members or contractors must also disclose on their membership application and renewal form, or their proposal and contract purchase order or renewal form, whether they are currently on-leave or subject to any restrictions in their activities (including, e.g., re: presence on any property/facility/vehicle/vessel) related to an allegation, investigation, and/or

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finding of misconduct in their professional or personal life. This disclosure must also include whether, in the last 5 years, they have been discharged or disqualified (or were forced to resign or be discharged or disqualified) from work, contracting, or other activities due to an allegation, investigation or finding of misconduct. An authorized representative of an entity or group that is a Society Affiliate must make this acknowledgement regarding its governing board/committee members; chief executive, chief operating and chief financial officer(s); and any of its employees, volunteers, leaders, agents or contractors involved in any Society-associated activity.

Society Affiliates that are fiduciaries, officers, employees or volunteers of the Society must also disclose on the Society's annual fiduciaries, officers, employees and volunteers form, whether they are currently on-leave or subject to any restrictions in their activities (including, e.g., re: presence on any property/facility/vehicle/vessel) related to an allegation, investigation, and/or finding of misconduct in their professional or personal life. This disclosure also must include whether, in the last 5 years, they have been discharged (or were forced to resign or be discharged) from work or other activities due to an allegation or finding of misconduct. (Fiduciaries are members of the Society's governing board, and any committee or official assigned fiduciary duties under the Society's Bylaws or by the governing board.)

Society Affiliates that are honors or awards nominees (if known by nominee), recipients or nominators of potential recipients also must make and update their disclosures, as required under the Society's [Honors and Awards Policy](https://asbweb.org/wp-content/uploads/ASB-Honors-Awards-Policy.pdf), available at <https://asbweb.org/wp-content/uploads/ASB-Honors-Awards-Policy.pdf>.

### **2. Use of Disclosures**

The Society may consider the content of these disclosures when conferring benefits, privileges and opportunities, including but not limited to membership, elected fellow status, other honors and awards, leadership, speaking and organizing/planning roles, and the privilege of participating in other Society-associated activities. Also see the [Investigation Policy](https://asbweb.org/wp-content/uploads/ASB-Investigation-Policy.pdf) (<https://asbweb.org/wp-content/uploads/ASB-Investigation-Policy.pdf>) for the consideration of these disclosures in identifying, reviewing, or investigating conduct concerns within the reach of this Code of Conduct Policy.

**3. Failure to timely submit a required disclosure, or failure to submit a complete and truthful disclosure, is on its own a violation of this Code of Conduct Policy. A Society Affiliate's failure to make required disclosures does not diminish application of this Policy to that Society Affiliate.**

### **F. Reporting**

If someone makes you or anyone else feel unsafe or unwelcome as described above, please report it as soon as possible. Individuals involved in a reported incident of alleged misconduct, including victims, witnesses, and those alleged to have engaged in prohibited behavior(s), will not engage in retaliatory behavior during or after the reporting process. Engaging in retaliatory behavior will be deemed a breach of this Code of Conduct.

All reports will be treated confidentially within our ability to complete the investigation and make a determination on next steps.

All reports must be received by the ASB within one year of the alleged misconduct. The ASB executive board or its designee ("Society Authority", see Part F.4.6) will acknowledge receipt of the report within

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one week and will follow-up with those involved within 60 days to provide an update on the process. Every effort will be made by the Society Authority to resolve these concerns in a timely manner. A yearly report of any reported misconduct will be available on the ASB website.

It is a violation for any person to:

- Retaliate against or threaten to retaliate against another person who reports or makes a complaint of unacceptable conduct
- Retaliate against or threaten to retaliate against any person who testifies, assists, or participates in any investigation of an allegation of unacceptable conduct
- Encourage another to retaliate against a complainant or person who testifies, assists, or participates in any investigation of an allegation of unacceptable conduct

The Society provides the following ways to raise conduct concerns:

### 1. Informally raising conduct concerns may be done by:

- Directly contacting the ASB Diversity Chair via email at [asbdiversity@asbweb.org](mailto:asbdiversity@asbweb.org)
- Submitting a report through the ASB reporting system using
  - Telephone reporting phone hotline toll-free at +1-844-719-1446
  - Web reporting intake form at <http://asbweb.ethicspoint.com>
  - Mobile reporting intake form at <http://asbweb-mobile.ethicspoint.com>
- Contacting any member of the ASB Executive Board

The information needed for a formal complaint (see Part F.2) is also generally helpful for the Society to act on an informal concern. However, information may be provided in a meeting or by phone, rather than in writing (paper, email or web portal). An informal approach is more likely when the person raising the concern is not seeking a formal process to resolve the concern, although it does not necessarily preclude a formal resolution. (The person may be interested in participating with the accused in a restorative or community-building practice, encompassing a variety of community building options.)<sup>1</sup> An informal approach may also be pursued when an individual seeks to explore resolution options before deciding to identify the accused or whether to file a formal complaint.

### 2. Filing a formal complaint may be done by:

- Directly contacting the ASB Diversity Chair via email at [asbdiversity@asbweb.org](mailto:asbdiversity@asbweb.org)
- Submitting a report through the ASB reporting system using
  - Telephone reporting phone hotline toll-free at +1-844-719-1446
  - Web reporting intake form at <http://asbweb.ethicspoint.com>
  - Mobile reporting intake form at <http://asbweb-mobile.ethicspoint.com>

A formal complaint is equally suitable when the person filing it seeks a formal resolution process or an informal resolution approach.

- A formal complaint should include the following information:
  - name of the accused(s) and contact information and affiliation with the Society, if known;

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<sup>1</sup> As used in this Policy, “restorative or community-building practice” has the meaning given “Restorative Practices and Community Building Practices” in the Glossary of Key Terms available at <https://asbweb.org/wp-content/uploads/ASB-COC-Glossary.pdf>. It is not limited to “restorative remedies,” but includes mediation, conciliation, and other means of elevating understanding of harm, repairing relationships, preventing recurrence of the conduct causing harm, and enhancing ownership of Community Standards and other requirements of this Policy.

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- if the conduct concern is of a type that involves a target, the name of the identified target and contact information, if known;
- name and contact information of the person raising the concern and how the person became aware of the concern (see Part F.3 for an anonymity option and its effect);
- names of any witnesses or others with pertinent information, and contact information, if known;
- description of the conduct concern, with the date, approximate time, location/setting/activity, and all known relevant facts and circumstances;
- the provision(s) of this Policy that may have been violated, if known (optional);
- a clear statement of any facts that may indicate any ongoing concern of imminent threat to safety of any person(s) or safety or condition of property,<sup>2</sup> and the sources of such facts, with contact information if known;
- any relevant documents available to the person filing the complaint;
- any other information that would help the Society understand the full nature of the conduct concern; who was involved and who and what may be affected; who may have pertinent information and related context; and what responses the Society may want to consider; **and**
- any request for confidentiality (see Part F.4).

3. Filing an anonymous formal or informal report of a conduct concern may be done via these links: <http://asbweb.ethicspoint.com> or <http://asbweb-mobile.ethicspoint.com>

However, anonymity may limit the extent to which the Society can investigate and/or respond to the concern. The more information that is required for a formal complaint, see Part F.2, and is included in an anonymous report, the more likely it is that the Society can investigate, and the more helpful the report will be for a Society response.

### 4. Confidential action

If an “individual most directly involved” (see Part F.6) asks for confidentiality of that person’s identity or that of others most directly involved, all reasonable steps will be taken to do so by the Society’s “Fact-finder” who investigates, and “Society Authority” who makes decisions regarding conduct concerns (see Investigation Policy Part G.3.1). However, they will also emphasize this Policy’s prohibition against retaliation (which is a serious violation). They may not maintain confidentiality if, in the Fact-finder’s or Society Authority’s judgment and discretion, safety or law requires otherwise. Limited disclosure of the identity of individuals most directly involved may also be needed for the Society to carry out various options to resolve a conduct concern.

**All Society Members and other Society Affiliates are required to respect confidentiality of the identities of each individual most directly involved in a conduct concern while it is being reviewed and resolved.** Failure to do so is a serious violation of this Code of Conduct Policy. If an accused is determined to have violated this Code of Conduct Policy, the Society Authority, (see Part F.7) or its authorized designee, may make that disclosure, exercising the Society’s discretion.

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<sup>2</sup> “Property,” as used in this Policy, includes tangible and intangible property including, but not limited to, buildings, equipment, research, research specimens, intellectual property, animals, chemicals, radioactive and biological materials, etc.

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**5. An “individual most directly involved”** means each of the following: any person who raises or reports a conduct concern; witnesses; identified target(s); and the accused.

**6. The “Society Authority”** is the Society’s Executive Board. It is the Society Authority that appoints Fact-finders for response to complaints in Part G of the Investigation Policy.

### **7. Anonymous and Oral Reports**

If an anonymous report is made, communications to confirm the accuracy of the Society’s understanding of an anonymously reported conduct concern will be made in writing via anonymous means; instructions are available on the web portal at <http://asbweb.ethicspoint.com>. If an oral report of a conduct concern is made, the individual making the report will be able to choose to (a) sign off on a written summary of the concern, prepared by the Society’s Fact-finder (see Part G.3.I(a) of the Investigation Policy) who receives the report, or (b) consent to being recorded when making the report, or (c) have the report treated as an informal report that the Society may not be able to investigate unless adequate information is clearly provided. The purpose of a sign-off or recording is to confirm the accuracy of the Society’s understanding of the concern as the foundation for investigation and response. Even if the Society cannot fully investigate, however, a report may enable the Society to pursue a restorative or community-building practice.

### **8. Next Steps: Investigating and Resolving Conduct Concerns**

Refer to the Society’s Investigation Policy, available at <https://asbweb.org/wp-content/uploads/ASB-Investigation-Policy.pdf> for the ways in which the Society responds to conduct concerns, formal and informal resolution options, and the range of consequences, whether or not a formal determination of a violation is made.