



NEW YORK CONSTRUCTION MATERIALS ASSOCIATION

11 Century Hill Drive
Latham, NY 12110-2151
Phone: 518.783.0909
WWW.NYMaterials.com

New York Construction Materials Association Code of Conduct

1. Purpose

The New York Construction Materials Association (NYMaterials) is committed to ensuring a welcoming, safe, and supportive environment for all, regardless of gender, race, color, ethnicity, sexual orientation, religion, disability, political orientation, genetic information, age, familial status, military status, domestic violence victim status, and/or other personal characteristics protected by law.

It is expected that all participants at NYMaterials supported events will abide by this Code of Conduct.

- “Participant” shall refer to any individual present at NYMaterials events including speakers, members, attendees, vendors, exhibitors, contractors, guests, media, and staff.
- “Supported Events” are any event that NYMaterials organizes, sponsors, and/or provides material assistance for in any way and includes ancillary events and unofficial social gatherings.

2. Expected Behavior

Participants at NYMaterials’ Supported Events are expected to:

- Exercise consideration and respect in one’s speech and actions.
- Refrain from demeaning, discriminatory, or harassing behavior and speech.
- Be mindful of one’s surroundings and of fellow participants.
- Ensure that presentation materials (verbal and visual) adhere to reasonable standards of professionalism and do not include material that could be deemed offensive by any group – even if intended for purposes of levity and amusement.
- Immediately alert a NYMaterials officer or staff member if you believe you are being subject to behavior that violates this code of conduct or if you witness someone else that is being subjected to behavior that violates this code of conduct.
- Immediately contact law enforcement if you witness criminal conduct and take all steps you deem necessary to protect yourself.

3. Unacceptable Behaviors

Unacceptable behaviors include, but are not limited to:

- Intimidating, harassing, abusive, discriminatory, derogatory, or demeaning speech or actions by any participant in NYMaterials Supported Events.
 - This shall include all related events and in one-on-one communications carried out in the context of NYMaterials Supported Events.
 - NYMaterials Supported Events venues may be shared with members of the public; please be respectful to all patrons of these locations.
- Making and/or disseminating verbal or written comments or visual images that can be viewed as demeaning and/or harmful to others because of a reference to their gender, race, color, ethnicity, sexual orientation, religion, disability, political orientation, genetic information, age, familial status, military status, domestic violence victim status and/or any other personal characteristics protected by law.
- Use of nudity and/or sexually suggestive images in public spaces (including presentation slides).
- Deliberate intimidation, stalking or following.
- Harassing photography or recording.
- Excessive swearing.
- Intentional and sustained disruption of talks or other events.
- Physical assault (including unwelcome touching or groping).
- Real or implied threat of physical harm.
- Real or implied threat of professional or financial damage or harm.

Harassment committed in a joking manner still constitutes unacceptable behavior.

4. Consequences of Unacceptable Behaviors

Unacceptable behavior from any participant at NYMaterials Supported Events, including attendees, speakers, sponsors, exhibitors, contractors, volunteer leaders, vendors, venue staff will not be tolerated. If a participant engages in unacceptable behavior, NYMaterials reserves the right to take any action deemed appropriate up to and including:

- Rescinding a speaking invitation.
- Rescinding an invitation to serve on a committee or council.
- Removal of an individual(s) from NYMaterials Supported Events by necessary and appropriate means, including the involvement of local law enforcement authorities, without warning or refund.
- Prohibiting an individual(s) from attendance at future NYMaterials Supported Events.
- Canceling a members or individual(s) NYMaterials membership without reimbursement and/or refund of membership dues.
- Termination of employment if the unacceptable behavior was committed by a NYMaterials employee and termination of our business relationship if committed by a contractor and/or consultant.

As Adopted by the Board of Directors on May 17, 2023; Ratified by Active members on May 31, 2023

5. Complaint Review Procedure

All complaints will be reviewed and/or investigated by the NYMaterials' Executive Committee and Association Counsel. Review/investigation may include any one, or all, of the following:

- Review of the initial complaint.
- Investigation of the complaint including the gathering of all information that the Executive committee and Counsel deem pertinent to a fair review of the complained of behavior .
- Providing the person alleged to have committed the unacceptable behavior with an opportunity to be heard.

Any action resulting from the Executive Committee's deliberation shall be considered a final determination with respect to the merits of the complaint. The Executive Committee shall recommend appropriate disciplinary action, if any, and, except in the instance of expelling a member, such disciplinary action shall be a final determination. The Board of Directors shall review the proposed expulsion of a member, or Association Counsel, consistent with the Association By-Laws.

Should a complaint be made by, or against, a member of the Executive Committee or Association Counsel, that individual(s) will be recused for all investigation, deliberation, decision-making and voting.

A record of all disciplinary action shall be maintained in NYMaterials records at NYMaterials primary business office location.

6. Filing a Complaint

If you are being subjected to, or notice that someone else is being subjected to, behavior that violates this Code of Conduct, please contact a NYMaterials officer or staff member in person, by phone, or by email. Any information communicated under this policy will be treated as confidential to the greatest extent possible. All complaints will be treated seriously and responded to promptly.

If possible, provide the following information, preferably in writing:

- Identifying information (name, appearance) of the accused.
- The behavior that you believe is in violation of this Code of Conduct.
- The approximate time of the behavior (if different than the time the report was made).
- The circumstances surrounding the incident.
- The names of other individuals involved in the conduct and the names of those you believe are aware of the conduct and/or may have witnessed the conduct/incident.

Retaliation for reporting a violation of this Code of Conduct is a violation of the Code of Conduct. Persons reporting violations of the policy in good faith shall not be subject to any retaliation in any form.

7. Effective Date

As Adopted by the Board of Directors on May 17, 2023; Ratified by Active members on May 31, 2023

This Code of Conduct shall be effective immediately upon approval of the Executive Committee.

8. Dissemination of this Policy

Copies of this Code of Conduct Policy shall be made available through, but not limited to, the Association's website, links to information and registration materials for Association supported events, at the time of registration for Association supported events, at the registration table of Association supported events, upon request, and through other media and means as deemed appropriate by the Board of Directors.