

Ethics Complaint Procedures Overview

It is likely that you are here because you have decided to consider resolving an ethical situation by filing an official Ethics Complaint. You have reviewed the [PMI Code of Ethics & Professional Conduct](#) and [Ethics Case Procedures](#) before the preparation of an Ethics Complaint in order to understand the organization's procedures and ethical standards. Also, you may have made use of the resources PMI provides, including the [PMI Ethical Decision-Making Framework](#).

An Ethics Complaint may only be filed against a Covered Individual. A Covered Individual includes: (1) a PMI Member, as defined by the PMI by-laws; (2) a non-member who holds a PMI certification; (3) a non-member who applies to commence a PMI certification process; and/or (4) a non-member who serves PMI in a voluntary capacity.

The Ethics Complaint procedures are described and displayed in diagram form below.

What You Need To Do To File a Complaint



A PMI Ethics Complaint may not file against entities (e.g., companies or organizations), but only against individuals.

The first step in filing an Ethics Complaint is completing the [Ethics Complaint Form](#) online.

The Ethics Complaint Form has the complete instructions needed to complete the Complaint. Make sure to provide all necessary information in support of your Complaint. When in doubt, submit the information.

How Your Complaint Will Be Reviewed

Once the form and any supporting documentation are received by PMI Headquarters, it will be reviewed by PMI Staff for completeness. First, they will verify that the individual against whom the Complaint is filed is a Covered Individual (i.e. a PMI Member, Certificate Holder, Applicant for a Certification, or PMI Volunteer). Next, the form and any supporting documentation will be checked for completeness (i.e. making sure the Complainant included all requested information.) Any problems detected at this stage

will delay consideration of the complaint.



The person or entity that submits a complaint is referred to as the Complainant. The person for which the complaint is filed against is referred to as the Respondent.

Once PMI staff determines that the Complaint is complete, it is then forwarded to the ERC Legal Counsel, ERC Chair and ERC Vice Chair. The ERC Vice Chair performs another quality check on the complaint. Concurrently, the ERC Chair reviews the complaint for the possibility of rejecting the complaint if the Respondent is not a Covered Individual.

The complaint and supporting documentation is then shared with the ERC Members.



All Ethics complaints are confidential.

In the process of evaluating each potential case, the following questions are asked for each complaint:

1. Is there a quorum? (This is required by the Ethics Case Procedures)
2. Is the Respondent covered by the PMI Code of Ethics and Professional Conduct? (e.g., member, certificate holder, applicant, volunteer)
3. Does any member of the ERC have a conflict of interest to declare? (This may be cause for the member to be recused from the case)
4. Is there legal action pending? (The ERC will not take on a case if legal action is pending or if legal action is anticipated)
5. Are there other actions being pursued in the case? (e.g., disciplinary action with other associations)
6. Are the allegations focused on improper or illegal use of PMI property? (If the Respondent is not a covered member, then the case would be referred to PMI legal for action)
7. Is there sufficient detail presented to constitute a formal ethics complaint?
 - a. Based upon the specific Code provisions identified by the complaint
 - b. Based upon the specific Code provisions identified by the ERC; and
 - c. To permit the ERC to conduct an appropriate review.
8. Would a proven complaint constitute a violation of the specific Code provisions identified by the Complainant in the original submission?
9. Is there reasonable cause to believe that the charge appears to be justified, considering the proof available?



Review points 7, 8 and 9 highlight why it is imperative that all available information be submitted with the complaint. It is not acceptable to say something happened without providing supporting documentation.

The complaint can be accepted, outright rejected, or put on hold while missing information is obtained. An accepted complaint becomes an Ethics Case and a Review Team is assigned. A Review Team consists of a Chair and at least 2 ERC Members.

What Happens If Your Complaint is Accepted

At the same time the Review Team is formed, with the assistance of ERC Legal Counsel, the ERC will send a formal notice of the complaint to the Respondent, identifying each Code violation alleged and the supporting factual basis for the complaint. Included in this formal notice are copies of the Code of Ethics and Professional Conduct, the Ethics Case Procedures, the Complaint Form as filed by the Complainant (including all attachments), and a link to the [Complaint Response Form](#) for the Respondent to fill out.



The notice will be sent to the electronic mail address on record with PMI. It is important for PMI Members to keep their contact information up to date with PMI.

The Review Team may choose to meet or to delay meeting until a response is received from the Respondent. A Respondent has 45 days to respond to the formal notice of the complaint using the online [Complaint Response Form](#).

The Review Team Chair will be responsible for facilitating the activities to ensure the case investigation is completed and status is reported to the ERC. The Review Team reviews the documentation provided and engages in independent fact-finding to the extent necessary to clarify, expand, or corroborate the information provided. This independent fact-finding may include, but is not limited to:

- Interviewing witnesses
- Sending fact-finding letters
- Obtaining legal opinions
- Obtaining more information from the Complainant
- Obtaining more information from the Respondent

The Review team, by majority vote will decide to:

Dismiss the entire case as the facts do not support the allegations

Dismiss part of the case and proceed to hearing with charges that do support the allegations

Proceed to hearing with charges that do support the allegations

What Happens At a Hearing

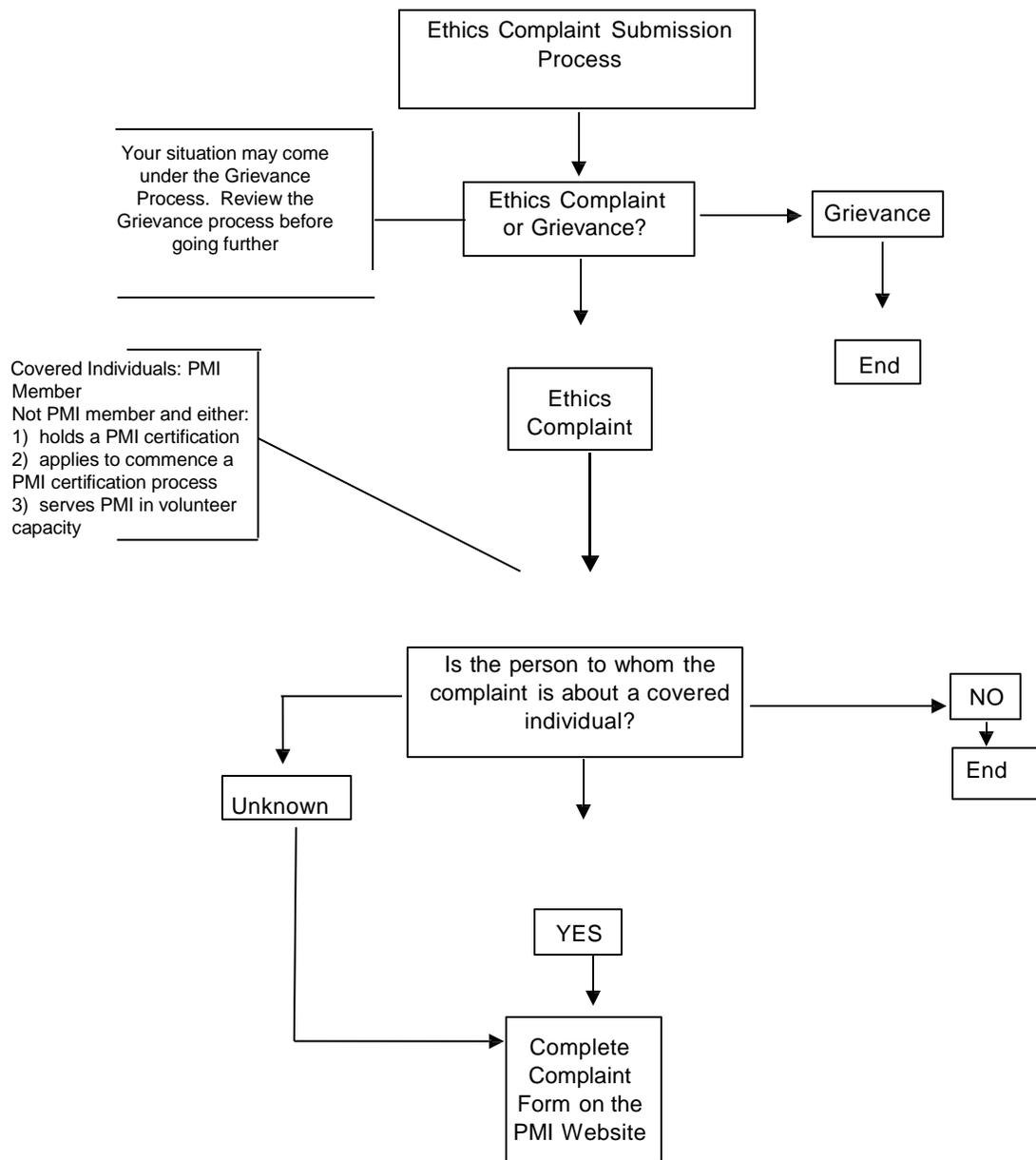
If the Review Team decides that a hearing is required, Legal Counsel will prepare a formal charges document to be sent to the Respondent. In addition to the formal charges, the document will also have the following:

1. That the hearing will be conducted in the manner set forth in Section D of the Ethics Case Procedures,
2. That the Respondent has the right to be represented by counsel (at Respondent's expense),
3. That the Respondent should notify the ERC of the names of individuals who will serve as witnesses for the Respondent during the hearing with a due date for such notice, not later than five (5) business days before the Hearing,
4. That the right to have witnesses participate or alternatively to submit statements to be Included in the Hearing Record will be subject to the discretion of the ERC Chair, who will serve as the Hearing Panel Chair, and
5. That witnesses at a hearing may make presentations and be asked questions by members of the Review Team and the Hearing Panel and the ERC Chair.

Legal Counsel will then coordinate with all parties (ERC, Complainant, Respondent, witnesses) to establish an appropriate date and time for a hearing. As determined by the ERC Chair, the Ethics Hearing may be conducted entirely, or in part, via teleconference, where all persons participating will be able to communicate with one another. The ERC shall provide to the Complainant notice of and an opportunity to participate in the hearing and provide a statement during the hearing, but the Complainant is not required to participate, as per the Ethics Case Procedures.



The ERC does not issue advisory opinions and does not provide informal consultations with PMI members or others on ethics matters. A flowchart is on the following pages.



PMI will provide a letter that acknowledges that they have received the complaint

