

## CASE #1

Ms. Elliot owns a project management consulting firm in England. As a matter of routine, she does a web search of similar type project management consulting firms. This helps her to stay current with her project management offerings.

During her latest search, she found a website in Canada which had very similar project management consulting offerings (almost verbatim) and Mr. Doe, the owner of the company, had her same bio. Reviewing emails, she found that she had corresponded with Mr. Doe two years earlier after they had met at a PMI Global Congress. In that email exchange, she had sent him some information which contained essentially the same wording that was on Mr. Doe's website. Ms. Elliott contemplated what she should do.

She decided to contact Mr. Doe. Initially, she sent Mr. Doe an email which outlined the issue of using her information. Mr. Doe responded stating he was not aware of any wrongdoing and that everything on his web site was his work. In response, she sent another email which had side-by-side comparisons of Mr. Doe's project management offerings and bio and Ms. Elliott's informational materials she had sent him in a previous email. When two weeks had passed without a reply, she sent Mr. Doe a letter that contained the same side-by-side comparisons. At this juncture, she waited a month. She still did not receive a reply.

Ms. Elliott checked PMI's database of certified PMPs. She found that Mr. Doe was indeed a PMP. Since she gave Mr. Doe ample time to respond, she decided to file a PMI ethics complaint. She felt that Mr. Doe did not give proper respect for her intellectual property. And when given the chance to correct the situation, he was not honest and claimed her material was his.

Ms. Elliot alleged that Mr. Doe violated the following sections of PMI's Code of Ethics and Professional Conduct:

- **Section 3.3.4 (Respect)** – *We respect the property rights of others.*
- **Section 5.3.2 (Honesty)** – *We do not engage in dishonest behavior with the intention of personal gain or at the expense of another.*

## Case #2

Sam Smith was a long-time member of the PMI Fredonia Chapter and a certified PMP. Sam constantly emailed and phoned chapter board members and members of the PMI Global Headquarters (PMI GHQ) staff. These emails and calls related to advancing his personal vision of how the Fredonia Chapter was to be managed and he sometimes reported issues to local Fredonia authorities as well. His written communications with the Chapter often contained misleading, accusatory, and demeaning language, and the emails he sent often copied a large number of people, including Chapter officers and GHQ staff; his actions in connection with Chapter meetings were at times disruptive.

Sam felt so strongly that he attempted to report chapter officers and others that didn't see his way to the local authorities for alleged improper carrying out of their duties with the Chapter. Sam also filed multiple PMI Ethics Complaints against Chapter board members and others, which after extensive review were rejected by the Ethics Review Committee (ERC).

There was mediation involving Sam, the Fredonia Chapter, and PMI GHQ. The resulting settlement included Sam's agreement to forfeit his Fredonia Chapter membership for three years and to agree not to apply for membership in any chapter for three years.

As expected, all this had a major negative operational and financial impact on the Fredonia Chapter and PMI. In spite of the settlement agreement, Sam continued in his attempts to re-join the chapter. He falsely claimed that he signed the agreement under duress and was therefore not bound by its terms. In his attempts to re-join the chapter, he did not disclose the fact that he had voluntarily agreed not to do so. As a result, an ethics complaint was filed against Sam:

- **Section 5.3.1 (Honesty)** - *We do not engage in or condone behavior that is designed to deceive others, including but not limited to, making misleading or false statements, stating half-truths, providing information out of context or withholding information that, if known, would render our statements as misleading or incomplete.*

Given that he failed to disclose the terms of his settlement and took steps to mislead certain individuals in connection with his agreement to not seek to re-join the Chapter, the ERC found he violated Code section 5.3.1.



## Case #3

Sam Jones was an active member of an ACP study group that used a Facebook group to communicate. After taking the PMI-ACP exam, Sam posted his recollection of one of the questions to the group and asked for feedback.

Sally Smith was also a member of the group who recently took the PMI-ACP exam. She remembered signing a statement that indicated she would not share exam questions with anyone after the test. PMI rules explicitly state that all questions from the exam are private and confidential and must not be disclosed to anyone else.

Sally contacted Sam and asked him to remove his message from the group. Sam objected and told Sally that he wasn't violating any agreements. Sally re-checked the rules and felt that Sam was responsible for knowing that questions from the exam should not be shared.

Sally alleged that a violation of the following Code section had taken place:

- **Section 2.3.1 (Responsibility)** - *We as professionals must uphold policies, rules, regulations, and laws that govern our work, professional, and volunteer activities.*

When filing the complaint, Sally included a screenshot of the Facebook post and included copies of her communications with Sam.

The Ethics Review Committee (ERC) accepted this as a case and after a review, scheduled a hearing. At the hearing, Sam accepted that he had acted in the wrong way and showed that he had removed all references to his post in the Facebook group.

The ERC determined a violation occurred and then weighed a number of factors and consulted PMI's Ethics Sanctions Guidelines to decide on an appropriate sanction. In this instance, this was the first PMI ethics complaint against Sam and the ERC found that he showed remorse for his actions and that he quickly removed the post in question. As such, the sanction issued by the ERC in this matter was private reprimand.

## Case #4

January was an exciting month for Ted Thompson. His manager had approved his taking a project management course at the end of February at PM Exam Training, LLC (PMETL), a local Fredonia training company run by Pam Cheatham, a holder of PMP, PgMP and ACP certifications. Ted paid for the course and his manager was going to approve a reimbursement after he successfully completed the course.

Unfortunately, as the date drew closer, Ted's boss informed him that he would need to cancel the class to complete work on an important project. Ted went to the PMETL site and checked the cancellation policy. He was still within the stated time period to cancel the class, so he



emailed the company to let them know that he had to cancel and would like to get a refund.

A week passed and Ted never received a response or a refund, so he emailed the company again. Once again, he received no response. Looking at the website more closely, he found that Pam was the owner and this time, he emailed her. A few days later he received a very short email from Pam indicating that refunds for February courses would be distributed at the beginning of March.

Another week passed and Ted received another email from Pam, this time suggesting that he apply his refund to take an online course instead. Since he was unable to do this and would most likely take the face-to-face course later, he replied requesting that he receive his refund.

By mid-March, Ted still had not received his refund. He went back to the PMETL web site to investigate more. They still had a full schedule of classes posted. With his suspicions raised, Ted placed a call to a friend in the Fredonia Chamber of Commerce that he thought might be able to help. His suspicions were correct, and his friend informed him that there were dozens of complaints raised against PMETL through a variety of organizations. Ted wasn't the only one waiting for a refund.

Concerned, Ted emailed Pam again, this time setting a reasonable deadline and asserting he would take further action if the deadline was not met. To his dismay, Pam emailed back telling Ted his refund was be on hold for harassing her for his refund. Since Pam was a PMP, an individual covered by the PMI Code of Ethics and Professional Conduct, Ted felt he had no other course of action but to file an Ethics complaint. Ted believed that Pam was not showing respect in her approach to negotiating his refund and that she was not demonstrating responsibility in following her own refund policy by turning the situation into a negotiation. Ted alleged violations of the following code sections:

- **2.3.1 (Responsibility)** - *We inform ourselves and uphold the policies, rules, regulations, and laws that govern our work, professional, and volunteer activities.*
- **3.3.1 (Respect)** - *We negotiate in good faith.*

## Case #5

Sam Jones was reading an article by Sally Smith on a popular project management web site. It was on scheduling, a topic he was very interested in, and he did some additional reading. As he researched the information, Sam realized that a lot of information used by Sally was directly copied from another source.

Sam wanted to contact Sally, but was unable to find an email address or phone number he could call. He also sent a note to the web site via their contact page, but it went unanswered.

Sam re-checked the article and facts, and submitted an ethics complaint via the PMI web site.

He felt that Sally had violated the core value of honesty:

- **5.3.1 (Honesty)** - *We do not engage in or condone behaviour that is designed to deceive others, including but not limited to, making misleading or false statements, stating half-truths, providing information out of context or withholding information that, if known, would render our statements as misleading or incomplete.*

The Ethics Review Committee accepted that there was a case to answer and a Review Team was established. After investigation the Review Team decided that the value of respect was also violated:

- **3.3.4 (Respect)** - *We respect the property rights of others.*

A hearing was scheduled by the ERC. At the hearing Sally admitted that she had in fact copied material from another author and not acknowledged that author. But she also felt there were some mitigating circumstances – the article was not meant to be published as it was and there was some miscommunication between Sally and the web site publisher. Sally said she did not do this deliberately and wished to correct any error.

The hearing panel for this case determined that only code section 3.3.4 had been violated. A private reprimand was issued. Important factors in the ERC's consideration of what sanction should apply were the fact that Sally was remorseful, admitted that she had made an error, and sought to correct the error.

## Case #6

Jane Flattery is a recent hire at the Comet Company. She was specifically hired to be the project manager for Comet's largest project, which is a project with a budget of just over \$500,000 US. Her resume showed she had the PMP certification and seven years of experience. Jane has been on the job for about two months.

John Forsyth is Jane's boss. John is quite concerned because Jane has been struggling and he has received numerous complaints that Jane is not grasping the project and is not taking responsibility for getting the project done. John had some counseling sessions with Jane, and he documented those as a matter of record. Because Jane did not appear to grasp the project management concepts that John discussed, he started to wonder about Jane's credentials.

John called customer care at the Project Management Institute. He specifically asked if Jane was a PMP. The customer care agent advised John that Jane was not listed but did warn him that Jane could keep herself off the registry. John decided to give Jane another couple of weeks to see if she was doing better with the project.

Within ten days, John received a call from two different functional managers. Each functional manager stated that the project was about to collapse. Also, each functional manager had

project team members who wanted to be released from the project. Their reason was Jane Flattery was not doing her job and did not seem to know how to do so.

John had enough. He called Jane into the office. He asked her why she was not on the PMI certification registry. Jane said she preferred not to have her name made public due to some personal issues. John then asked her for the exact date and the actual PMP certificate. Jane again had several excuses as to why she did not know the exact date of certification and as to why she could not provide her certificate. John asked Jane to contact Project Management Institute customer care and ask for a duplicate of her certificate or some other official document verifying that she was indeed a credentialed PMP. John reminded Jane that she was a member of the Project Management Institute and there should be no problem asking for the document from the customer care agent.

The next day Jane admitted she was not a PMP and had never taken the exam. She also admitted that she lied on her resume. She had only worked as a project expediter for one year. Jane was fired that day.

John wanted something to be done by the Project Management Institute to avoid another hiring manager to face a similar problem with Jane. Additionally, John had earned the PMP credential and was serious about his profession. He filed an ethics complaint with PMI's Ethics Review Committee (ERC). He alleged that Jane was dishonest in representing herself as a certified PMP and that she lied on her resume with the expectation of personal gain, a violation of the honesty value of the code. The two Code sections that John believed Jane violated were:

- **Section 5.3.1 (Honesty)** - *We do not engage in or condone behavior that is designed to deceive others, including but not limited to, making misleading or false statements, stating half-truths, providing information out of context or withholding information that, if known, would rend our statements as misleading or incomplete*
- **Section 5.3.2 (Honesty)** - *We do not engage in dishonest behavior with the intention of personal gain or at the expense of another*

Based upon the submitted information in the ethics complaint the ERC assigned a Review Team that initiated a formal investigation into the facts. The Review Team attempted to contact Jane, but Jane chose not to participate in the Ethics Hearing. The ERC Hearing Panel reviewed all the facts and recognized that in addition to the violations, Jane's actions were intentional and she did not show respect for the ethics process.

## Case #7

Joseph desired to use an internet domain address for his project management services business, and the domain name included direct identification of PMI (joetrain.pmi.org). Since he wanted to use the PMI.org domain, Joseph requested the ability to do so from PMI. PMI declined his request since it would lead people to believe that PMI endorsed or otherwise recommended Joseph's training, and the decision was upsetting to Joseph.

Joseph contacted PMI and stated that he felt PMI's decision was unfair. He then started texting certain PMI staff members with dozens of texts per day. PMI then sent to Joseph an email advising him that PMI would not change its decision and directed Joseph to stop texting and calling. However, Joseph sent additional texts that were rude and threatened legal action, claiming he had significant influence with the government and others involved in domain name assignment. Joseph continued his messaging at a rate of five dozen messages in less than a half day. In parallel to his communications to PMI headquarters staff, he sent multiple communications with the local Chapter President and threatened PMI and the local Chapter with various actions (like litigation).

The Chapter President reached out to Joseph and requested that he stop sending messages – these were not constructively working toward a resolution. When he did not stop, the Chapter President filed a formal ethics complaint, alleging that Joseph had violated the value of respect, specifically section 3.3.3 of the code:

- **Section 3.3.3 (Respect)** - *We do not act in an abusive manner to others.*

An ERC Review Team was assigned and performed a detailed investigation of the charges and reviewed the documented communications. After initially stating he was not able to communicate to PMI ERC on the ethics issues due to internet connectivity problems, Joseph then chose not to respond in any way to the ethics charges. Later, Joseph sent a note admitting to the ethics charges and apologizing for his behavior.

An Ethics Hearing was held. The ERC Hearing Panel concurred with the charges. They stated that it is contrary to the Code of Ethics and Professional Conduct to act in an abusive manner toward others, including the excessive use of emails, text messages, or other forms of correspondence. Correspondence always should be professional and measured.

