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1.0 Purpose

1.1 To provide specific guidelines to the Parties involved in ASNT Certification Services, LLC (ASNT CS) ethics complaints and violations.

1.2 This document was developed by the Certification Management Committee (CMC) and approved by the ASNT CS Board of Managers (BOM). Legal counsel has reviewed this document to ensure that due process is provided to both the Complainant and the Respondent.

2.0 Scope

2.1 This procedure applies to alleged violation(s) of the Code of Ethics for Nondestructive Testing Personnel certified/qualified/accreditation by ASNT CS, applicants and candidates for certification/qualification/accreditation, and individuals or organizations acting as an Agent of ASNT CS.

2.2 ASNT CS’s ethics process shall not be utilized to enhance a Party’s case in litigation, nor will it enable ASNT CS to become involved in litigation or other private disputes between Parties. To the extent that a Complainant or Respondent in an ethics complaint is also the subject of a legal proceeding involving each other or the subject of the complaint, the Ethics Subcommittee may, in its discretion, take no action or cease action as soon as the Subcommittee is made aware of ongoing legal action. The results or findings from legal actions or other relevant proceedings may be used as justification for ASNT CS ethics rulings.

3.0 Definitions

3.1 Accreditation: The action or process of officially recognizing someone as having a particular status or being qualified to perform a particular activity.

3.2 Agent: An individual or organization bound by a contract with ASNT CS to administer or deliver ASNT CS examinations.

3.3 Applicant: An individual who is seeking an ASNT CS certification or accreditation.

3.4 Candidate: An individual who has been approved to test for an ASNT CS Certification.

3.5 Certificate: The document issued by ASNT CS according to the CMC’s actions following the rules and procedures heretofore published by ASNT CS.

3.6 Complaint: A formal written statement that details a claim made against an ASNT CS certified individual or agent believed to have deviated from ASNT CS’s applicable Code of Ethics.
3.7 **Complainant:** Individual filing the Complaint.

3.8 **Interview:** A formal interview in which the Respondent will have the opportunity to respond to the Complaint before the Ethics Subcommittee.

3.9 **Ruling:** A formal ruling documenting an action or ruling by the Ethics Subcommittee.

3.10 **Qualification:** A quality or accomplishment that makes someone suitable for a particular job or activity.

3.11 **Quorum:** A simple majority of voting members of the Ethics Subcommittee. The ASNT CS non-voting member who is responsible for documenting the process must be present to achieve quorum.

3.12 **Respondent:** Is the individual or Agent responding to an ASNT CS Ethics Complaint.

3.13 **Sanction:** A penalty-based outcome of ruling. Examples of sanctions may include, but are not limited to, a revocation or suspension of a certificate/certifications/qualification/accreditation/approval, a written reprimand, or denial of the ability to obtain a certificate/certification/qualification/accreditation/approval issued by ASNT CS.

4.0 **References**

4.1 **POL-CMC-300** CMC Rules of Conduct

4.2 **FRM-CMC-362** Ethics Violation Reporting Form

4.3 **REF-CMC-362** Ethics Procedure Flow Chart

4.4 **WI-CMC-362** Ethics Violation Work Instruction

5.0 **Responsibilities**

5.1 The Ethics Subcommittee of the Certification Management Committee (CMC) is appointed in accordance with POL-CMC-300 and is responsible for ethics Rulings and Sanctions. Any appeals related to these Rulings or Sanctions are presented to the Appeal Subcommittee, whose Ruling shall be final.

5.2 ASNT CS Staff, including ASNT’s legal counsel, are responsible for overseeing the ethics violation process. This may include but is not limited to communications with the Respondent or Complainant regarding the investigation.

6.0 **Procedure Flow**
6.1 The Complainant shall submit a Complaint to the CMC using Form FRM-CMC-362. The Complainant is responsible for providing as much detailed information as possible. A Complainant may not file more than one complaint against the same person for the same factual matter.

6.2 ASNT CS staff shall be in communication with the Complainant acknowledging the complaint within 15 days of complaint submission. ASNT CS may assign a case number for the Complaint and may request additional information from the Complainant.

6.3 The Respondent shall be notified of the Complaint and provided details, including nature of the Complaint, and be given copies of all evidence submitted by the Complainant. All Complainant information shall be kept confidential and all other information shall be kept confidential to the furthest extent possible.

6.4 The Respondent shall have fifteen (15) days to respond to the allegations contained in the Complaint.

6.5 The Respondent or the Ethics Subcommittee may request an Interview.

6.6 An Interview date shall be set for no less than thirty (30) days from the date the Ethics Subcommittee received the Request for Interview, unless otherwise agreed to by the Parties.

6.6.1 The Ethics Subcommittee may change the Interview time and date for a good cause, and with prompt notice to the Parties. Unless otherwise agreed to by the Parties, the rescheduled date will be at least fourteen (14) days after delivery of the reschedule notice.

6.7 Procedure for Interview:

6.7.1 The Ethics Subcommittee Chair shall lead the Interview in the presence of the full Ethics Subcommittee.

6.7.2 The Interview shall be recorded.

6.7.3 The Interview may be continued or adjourned for reasonable cause at the discretion of the Ethics Subcommittee Chair.

6.7.4 Following the Interview, the Ethics Subcommittee shall arrive at a Ruling.

6.7.4.1 A written Ruling shall be issued as soon as practicable, but no more than sixty (60) days after the close of the Interview.

6.7.4.2 The Ruling shall be communicated to the Respondent and their right to appeal (see details in Section 6.8).

6.7.4.3 If no action is taken by the Respondent within thirty (30) days,
the Ruling shall take effect and the matter shall be considered resolved. If the Respondent does not appeal, the Complainant will be notified of the Ruling.

6.8 The Respondent may appeal the Ruling by submitting a Notice of Appeal to the CMC Chair within thirty (30) days of receipt of Ruling. The Notice shall contain a copy of the Complaint, the Ruling, the grounds for appeal, and the requested relief sought by the Respondent.

6.9 The Appeal Subcommittee shall review the Ruling and all information in the case file and may affirm, modify, or vacate the Ruling. The Appeal Subcommittee Ruling shall be final.

6.10 When the process is finalized, the Respondent and the Complainant will be notified.

7.0 Additional Rules

7.1 Sanctions: The Ethics Subcommittee shall have the power to impose Sanctions (Section 3.0 Definitions) on any ASNT CS Certified individual, candidate, applicant, or agent who has been found to violate the applicable ASNT Code of Ethics.

7.2 The outcome of court proceedings outside of ASNT CS may be grounds for ASNT sanctions without the need for interviews and appeals.

7.3 The Respondent as well as ASNT may be represented by legal counsel at such Party’s own expense. Should a Party be represented by counsel, the Party shall inform ASNT and the other Party of such representation and provide appropriate contact information so that all Parties can communicate directly with the Party’s appointed counsel.

7.4 Communication: Unless otherwise requested, all communications and notices shall be communicated electronically via email. The Interview may be conducted in person, via teleconference, or via virtual meeting room.

7.5 Revisions to this Procedure: The BOM may revise or modify this Procedure in its reasonable discretion at any time and will post the updated Procedure on ASNT’s website.

7.6 This procedure shall be published and made available to the public for guidance and reference.

8.0 Control of Records

8.1 All Ethics Subcommittee records shall be kept confidential and can only be released with the written permission of the CMC Chair, BOM, and legal counsel.
## 9.0 Revision History

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<thead>
<tr>
<th>Revision</th>
<th>Date</th>
<th>Description of Change</th>
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<tbody>
<tr>
<td>05</td>
<td>08-07-2023</td>
<td>Complete rewrite with legal counsel notes.</td>
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