

REGION XII CRC MOTIONS

Last Revised: 08/21/2020

Region XII (Central Florida Chapter) – 2019 CRC Motion 42:

That Society include the Chapter Honors & Awards Chair, as listed on the CIQ, in the list of Chapter Officers and Chairs that have access to their Chapter Member Bios by April 1, 2020.

Answer: Members Council was not in favor of this motion. The Delegates and Alternates have access for the purposes of representing their chapter at CRC. Since Regional Awards are voted at CRC this is the responsibility of the delegates and alternates to coordinate. Thus, the CRC representatives should meet with their chapter leadership (including H&A chair) to review all CRC prep (including awards and recognitions) while the Delegate and Alternate has access. **(Complete)**

ASHRAE CARICOM Chapter – Motion 16 (02/02/2020):

That Society introduce a virtual Distinguished Lecturer option for chapters, which will not count as an allocated visit, effective July 1, 2020.

Status: This motion was referred to the Chapter Technology Transfer Committee for consideration. **(Open)**

Florida West Coast Chapter – Motion 7e (11/14/2019):

That the Society Nominating Committee revise the Nominating Process and Ballot, to deliberate and present candidates for election by the membership in priority order from the final vote of the Nominating Committee, immediately following the Winter meeting as follows:

- a. President-Elect and Treasurer; not less than two for each, but not more than three for each position.
- b. Vice Presidents; not less than six, but not more than eight.
- c. Directors-at-Large (DAL); not less than six, but not more than nine.

~~At minimum, an ASHRAE bio or personal resume, head shot photo, and a maximum one-page statement from each candidate should be attached to the electronic member ballot and information package. This directive is required to be in practice January 1, 2021.~~

The process of the current President Elect automatically moving to the President position, as well as the current DRC process, remains unchanged. This directive is required to be in practice January 1, 2021.

Status: This amended motion was referred to the Nominating Committee for consideration. **(Open)**

Caricom Chapter – Motion 31 (11/14/2019):

That Society enter into a memorandum of understanding with the Caribbean Community and Common Market (CARICOM) Secretariat effective Society Year 2020.

Answer: Members Council approved this motion. **(Complete)**

Florida West Coast Chapter – Motion 13 (11/14/2019) / Motion 42 (11/15/2019):

That Section 5 of the candidate's ASHRAE individual biographical report (ASHRAE Bio), headshot photo, and a maximum one-page statement from each candidate, in addition to the currently provided information, be attached to the electronic member ballot and information package.

Status: The above substitute was referred to the Nominating Committee for consideration. **(Open)**



Brasil Chapter – Motion 11 (11/8/2018):

That ASHRAE Bookstore pays a sales percentage of 10% to the Chapter promoting the sale of any ASHRAE Media at a pre-approved function promoting the ASHRAE media.

Answer: This motion was referred to an ad hoc and Publishing and Education Council for review and discussion. PEC referred this motion to their Fiscal Planning Subcommittee. The subcommittee reviewed the referral and concluded implementation would have a net negative fiscal impact on revenue, considering the lost revenue and the cost associated with creating and tracking numerous additional discount codes and administering the 10% payments back to chapters. It was also noted that chapters already have the opportunity to purchase publications on consignment at a 50% discount from society (for as few as 10 copies) and then sell them, keeping the difference and negating the need for sending money back to the chapter. The consensus of the council is that the current publications discount provides a more practical, low-cost way for chapters to receive income and benefit members. PEC will work with Members Council to promote this benefit. **(Complete)**

Brasil Chapter – Motion 13 (11/8/2018):

That a scoring system for TCs (Technical Committees) similar to the PAOE (Presidential Award of Excellence) scoring system for chapters be created.

Status: This motion was referred to Technology Council for review and disposition. Technology Council referred this motion to TAC for review and response. This is currently being addressed by TAC in their Manual of Procedures (MOP) that applies to all TCs. **(Open)**

Central Florida Chapter – Motion 14 (11/8/2018):

That the Research Promotion Committee create a fund by July 1, 2019 which allows Chapters to earmark, not more than 20% of the total Chapter RP dollars raised, donated RP funds for use in local projects and initiatives, within a Chapter's geographic area, which aligns with ASHRAE's mission.

Answer: Members Council was not in favor of this motion. Members Council asks that the chapter rewrite the motion for clarity. **(Complete)**

Central Florida Chapter – Motion 15 (11/8/2018):

That by July 1, 2019 that the Standing Standards Project Committees (SSPC's) and Standards Project Committees (SPC's) create permanent liaison positions on the ASHRAE SSPC or SPC for a person in the society or organization who's published documents are referenced by that Standard.

Status: This motion was referred to the Technology Council and the Standards Committee. **(Open)**

Puerto Rico Chapter – 2018 CRC Motion 30:

That Members Council waive the eligibility for re-election clause in the Manual for Chapter Operations, Chapter Constitution and Bylaws Section 5.9 to allow Mr. Jorge Molina to serve as Chapter President for the 2018-19 term.

Answer: This motion was withdrawn. **(Complete)**

Brasil Chapter – Motion 34 (11/8/2018):

That the Student Branch President position be added to the CIQ to populate on the member's bio.

Answer: Student grade members are not applicable to the CIQ. If the student branch position is included in the CIQ, it would allow student members to be included in other positions as well. **(Complete)**

Brasil Chapter – Motion 35 (11/8/2018):

That the automatic e-mail system be enhanced to send the chapter YEA chair a new YEA member notification as provided to the chapter Membership Promotion chairs.



Answer: This motion was approved and referred to the IT Staff for implementation. **(Complete)**

Brasil Chapter – Motion 36 (11/8/2018):

That the online registration form be enhanced to include the appropriate international addressing requirements.

Answer: This motion was approved and referred to the IT Staff for implementation. However, it was concluded by Publishing Services Staff two address lines and 35 characters for each line is the best current process to fit address formats that is used with different distribution carriers that ASHRAE uses. Mailing distribution is a complex subject and has many variations.

This motion was initially referred to IT staff, who at a later point engaged David Soltis of PubEd staff because of his expertise in issues involving postage and shipping.

ASHRAE depends on multiple distribution carriers that distribute items to our Members. There is no single distribution carrier that can successfully meet ASHRAE's entire distribution needs. Each distribution network operates differently and has different requirements for their distribution network. ASHRAE must use a combination of all distribution carriers/network to meet its needs. Each distribution carrier has its own benefits and problems. No distribution carrier has a perfect track record or process for distribution being received to the end user. Publishing Services maintains a book's worth of information on each country's address variations that may or may not be completely followed within the country.

Staff reviewed each distribution carrier's requirements, all vendors that ASHRAE uses for distribution, the type of automated mailing equipment, the labeling methods, and how much data will fit onto a label without losing data. The conclusions are as follows:

- We are limited to two address lines to fit the only postage and shipping address labels and labeling equipment in use worldwide by all reliable, available carriers.
- 35 characters is the maximum for each line. This is the maximum that works with every distribution system as well as the labels and labeling equipment used.

If data exceed two lines or 35 characters per line, the address will not print on the label during the automated mailing process for different mailing types and/or different distribution carriers.

About 400 ASHRAE members reside in Brazil. Here is the cost information for Brazil distribution options:

Current method:

USPS Standard Mail. Magazines enter Brazil as USPS Standard Mail with a Brazil postal agent accepting the mail at the country post in Rio de Janeiro. Once accepted at Rio de Janeiro, the magazines are sorted to regional posts. If an address is not complete or has abbreviations, it is possible that the Rio de Janeiro Post may remove mail for non-delivery. At the regional post, the magazine would be sorted again to the local post with the sorting continuing until final distribution occurs. Mail has no priority for distribution. Mail is not trackable.

ASHRAE Cost: \$2.11 ea./\$844 per month

Upgrade options:

USPS First Class Mail. In this option, the time is reduced and the agreement of who is accepting the mail is between each country postal system. This mail has a priority to be sorted and distributed. If the address has address problems, the mail will still fall out of the sortation. Follows the same process of sorting for distribution. Some distribution could improve just because of the service priority, but not all distribution. Mail has priority for distribution. Mail is not trackable.

ASHRAE Cost: \$11 ea./\$4400 per month



FedEx Envelope. Magazines are no longer mail, but a package. The packages are subject to all customs rules with duties and taxes applying even if the package is marked printed materials. This process is using FedEx distribution network with alternate processes of email and phone contact for additional distribution instructions before distribution abandonment occurs with the package. Package has priority for distribution but does not use country's post. Package is trackable.

ASHRAE Cost: \$25 ea./\$10,000 per month

Address Data Cleansing. This process is complex and requires IT resources. Cost is \$300 plus review time before addresses are accepted back into our database. The process would include the following steps:

- Cleanse the data.
- Review the suggested data change with distribution vendors. This is the hard part as the data will come back with grades of cleansing: A B C levels.
- Have vendors explain why the address is wrong and what is right.
- Determine the best way to get the data back in NetForum--automatic or manual.
- Enter the data back into NetForum before the next circulation list is pulled.

ASHRAE Cost: \$300

Recommendation:

Address Data Cleansing. The recommendation is to pursue address data cleansing. It is believed that most member addresses are good but may need slight modifications. The focus would be on Brazil with active members who should be receiving ASHRAE Journal. Publishing, IT, and Member Services will cooperate in the effort, led by David Soltis. **(Complete)**

Brasil Chapter – Motion 37 (11/8/2018):

That the Refrigeration Committee Chair be included for transportation reimbursement for attendance to CRC workshop training participation.

Answer: Members Council was not in favor of this motion. The Refrigeration Committee is not a grassroots committee and reports to Technology Council. Regions and Chapters can have refrigeration positions but the positions are optional. **(Complete)**

Gold Coast Chapter – Amended Motion 6B (11/4/2017):

That Rule of the Board 2.101.005.5 be revised to add the underlined language as shown below:

2.101.005.5 (92-07-02-21C/95-06-29-47/96-06-23-07)

2.101.005 Restrictions 2.101.005.5

- A. Proposed major organizational changes shall be submitted as information and in writing to the Society's Board of Directors at least sixty (60) days before any action is taken. Major organizational changes shall be defined as dissolving or adding a standing committee or council or adding or eliminating a council or board position. Organizational changes may also be defined as "major" by a two-thirds affirmative vote of the Board members voting. Motions designated as "Major Organizational" shall be distributed to the Membership sixty (60) days before any action is taken. Notice shall be by email, notice in the ASHRAE Journal, and notice on the ASHRAE Website. A link shall be provided for comments by the Membership to comment to the Board of Director representatives prior to voting.
- B. Any motion presented to the Board of Directors to make any major organizational changes shall be presented to the Board at one Board session and not voted on until the next a Board session after the Member Comment Window has closed on the comments distributed to the Board of Directors or a later Board session.

Answer: This motion was approved and will be recommended to the Board of Directors for



consideration. **(Complete)**

Gold Coast Chapter – 2017 CRC Motion 25:

That Members Council revise Section 7.6 of the Society Bylaws as noted below:

Section 7.6 Nominating Committee. This standing committee of the Society shall select candidates for elected officers and members of the Board of Directors. It shall consist of at least twenty-two members, each of whom shall hold the grade of Member or higher in the Society. Each shall have been a full Member in good standing in the Society for a period of at least five years at the time of selection. Committee membership shall be comprised of the chair, the vice chair, one member and one alternate from each region of the Society selected by the Chapters Regional Committee of each respective region, and at least eight members and eight alternates selected by the Board of Directors.

~~The immediate Past President or the most recent Past President willing to serve shall serve as Vice Chair of the committee and then advance to Chair when replaced as Vice Chair.~~

The Vice Chair of the committee shall be nominated by the members of the Nominating Committee in the Fall Meeting and elected by the Board of Directors at the Winter Conference. The nominee shall have served at least three years on the committee and have demonstrated their performance and a determination to provide leadership for the nominations of the best leaders for consideration by the Society Membership. The Vice Chair shall become Chair upon completion of their term as Vice Chair.

The Nominating Committee shall serve during the Society year for which it is elected. Members and alternates shall be selected as follows: Regional electees by the Chapters Regional Committees at their regularly-called meetings; Board of Directors selectees by the Board at a regular meeting.

There shall not be more than three members and three alternates from any one region, except for the Chair and Vice Chair. No member of the Board of Directors shall be eligible to serve on the Nominating Committee.

Status: This motion was referred to the Planning Subcommittee Nominating Ad Hoc Committee and later referred to the Nominating Presidential Ad Hoc Committee for comments. This motion was postponed.

Status: The above motion (2017 CRC Motion 25), will be combined with Region III (Hampton Roads Chapter) 2017 CRC Motion 12 which reads: "That Section 7.6 of the Society Bylaws be revised as shown below:" A recommendation will be made to Members Council during the 2019 Fall or 2020 Winter meeting.

Answer: Members Council was not in favor of this motion. The Nominating Committee improved their process by interviewing candidates and vetting them. It is recommended that the nominating process be explained to chapters via a slide presentation so they can understand the closed door session. **(Complete)**

Southwest Florida Chapter – 2017 CRC Motion 28 / Motion 35 (06/25/2019):

That a referral be made to the Nominating Committee to add two members, and revise the nominating process for "Directors-at-Large" to include an equal and alternate path as nominated from Technology Council, in a similar executive caucus session, beginning June 2018.

Answer: This motion was referred to the Planning Subcommittee Nominating Ad Hoc Committee and later referred to the Nominating Presidential Ad Hoc Committee for comments. This motion was postponed until the 2019 Winter Conference in Atlanta. The intent of the motion was addressed. The Nominating Ad Hoc discussed the topic of DALs being nominated by Technology Council. The ad hoc recommended specifically asking Technology Council for nominees to be considered and it was passed by the full Nominating Committee. **(Complete)**

Central Florida Chapter – 2017 CRC Motion 37:

That the following changes as shown below" be made to ROB 1.140.001 "Code of Ethics", and 3.980



“Enforcement Procedures for Violation of the ASHRAE Code of Ethics,” as shown below, beginning January 1, 2018. **(See Attachment A for full motion.)**

Status: This motion was referred to the Planning Subcommittee Ethics Ad Hoc Committee and later referred to the Presidential Ethics Enforcement Procedures Task Group. This motion is postponed until the 2018 Annual Conference in Houston.

Answer: Attachment A1 was approved by the ASHRAE Board of Directors in response to the Enforcement Procedures for Violation of the ASHRAE Code of Ethics. **(Complete)**

Florida West Coast Chapter – Motion 17 (01/23/2018):

That a referral be made to TC 8.7 Variable Refrigerant Flow to ~~establish-review~~ sensible and latent capacities at part load conditions for ~~performance testing of~~ variable refrigerant ~~standard ducted or non-ducted indoor units as stipulated by AHRI and incorporate the an ASHRAE documentation by January 1, 2019.~~ ~~flow coils to be incorporated into a standard load profile for VRF indoor performance by January 1, 2018.~~

Status: This motion was postponed until the 2018 Winter Conference in Chicago to ensure the profile was written correctly. Members Council approved the revised motion and referred it to Technology Council for consideration. **(Open)**

Brasil Chapter – 2017 CRC Motion 34:

That every Chapter receive a 10% royalty of ASHRAE Bookstore sales due to the Chapter's promotional efforts.

Answer: This motion was referred to Publishing and Education Council who later referred it to PEC's Fiscal Planning Subcommittee. The subcommittee reviewed the referral and concluded implementation would have a significant negative fiscal impact on revenue. The result would likely be a need to increase prices. The committee concluded that it would be difficult to determine which and when promotion efforts of chapters led to an increase in sales, making it difficult when a commission was to be earned. Plus there will be additional costs associated with the administration of tracking sales back to chapter members and making payments. It was also noted chapters currently have the opportunity to purchase publications on consignment at a discount from society and then sell them keeping the difference. The PEC will work with Members Council to promote this benefit. (Fiscal Planning Subcommittee voted 0-0-8 CNV.) PEC members discussed and agreed with the subcommittee that the motion negatively impact ASHRAE revenue. Publishing and Education Council failed the motion. **(Complete)**

Brasil Chapter – Motion 13 (11/3/2017):

That YEA membership dues be reduced to 50% of regular membership dues.

Answer: Members Council was not in favor of this motion. The fiscal impact would be cost prohibitive. **(Complete)**

Central Florida Chapter – Motion 17 (11/3/2017):

That ASHRAE enter into a dual membership agreement with ACAIRE (i.e. Colombian Society of Air Conditioning and Refrigeration) where members of both societies, ASHRAE and ACAIRE, receive a 25% discount on the annual dues of each society.

Answer: Members Council was not in favor of this motion. ASHRAE managed IAQA which was a different type relationship; ASHRAE does have an of agreement with CIBSE. **(Complete)**

Brasil Chapter – Motion 20 (11/3/2017):

That all non-North American attendees for YEA Leadership Weekend have all travel costs reimbursed.

Answer: This motion was referred to the YEA Committee. The YEA Committee was not in favor of this



motion. There are currently two (2) scholarships available to Region XII that are not utilized. **(Complete)**

Southwest Florida Chapter – 2017 CRC Motion 29:

That Members Council appoint an independent balanced “task group or ad hoc” to study the process and procedures of “Society Nominating Committee” ROB 2.415, its MOP, and related Bylaw sections pertaining to the Society Nominating Committee, and make recommendations to Members Council, for updates and enhancements, beginning January 1, 2018.

Answer: This motion was referred to the ASHRAE Board of Directors. The President directed the Nominating Committee Chair to appoint an independent balanced committee that has completed their work and will present findings to the Board of Directors in Houston. **(Complete)**

Brasil Chapter – Motion 5 (02/22/2018):

That Members Council fund 2 additional Chapter Committee Chair positions to have transportation reimbursement to CRC as selected by the Chapter BOG.

Answer: Members Council was not in favor of this motion. The positions are not named in the motion; additional positions would not have a function at CRC. **(Complete)**

Southwest Florida Chapter – Motion 32 (11/4/2017):

That Members Council review and update the Student Activities PAOE goals and objective structure, to offer points for chapter activities with student members, instead of student “branch” members, beginning July 1, 2018.

Answer: This will be included in the 2018-19 PAOE. **(Complete)**

Central Florida Chapter – Motion 33 (11/4/2017):

That the banner awards for PAOE points be distributed in Electronic Format with an option to receive a hard copy, if desired, effective July 1, 2018.

Answer: Members Council was not in favor of this motion. A similar CRC motion was presented during the 2016 spring CRCs. Members Council approved the section below to be included in the Manual for Chapter Operations, Section 2.10, Honors and Awards Committee. **(Complete;** see excerpt below)

2.10.1 Maintaining Chapter Awards Electronically

Many chapters archive their chapter awards in storage facilities, home, office, etc., and over time the awards get lost. One way to keep your chapter awards (PAOE, Chapter Service Award, Regional Award of Merit, Certificate of Appreciation, etc.), in the forefront is to store them electronically on the chapter’s website. By following a few instructions, this could save the chapter time, hassle and storage fees of these well-deserved earned awards. ASHRAE Headquarters does not currently provide electronic copies of awards; however chapters are encouraged to take digital photos of their awards. Digital photos are simple to take with a digital camera, tablet, or phone, and may be stored electronically in a manner keeping with the chapter’s existing filing and storage practices for electronic documents. Digital photos may also be posted to the chapter’s website in a way pleasing to the chapter, including posting on the homepage, or creating a separate “Awards” page on which the digital photos are displayed.

Brasil Chapter – Motion 4I (10/14/2016):

That GGAC should establish and develop a published committee methodology to identify, contact, and work with the AASA (ASHRAE Associate Society Alliance) representatives and other in-country associations in conjunction with normal operating GGAC committee procedures when making contacts outside the United States government activities, beginning January 2017.

Status: This motion was referred to the Grassroots Government Advocacy Committee (GGAC) with copy



to the AASA Chair. The chair of GGAC will assign a GGAC member to attend the ASHRAE Associate Societies Alliance meetings at the Winter and Annual meetings. GGAC has not established and developed a published committee methodology to identify, contact, and work with the AASA representatives and other in-country associations in conjunction with normal operating GGAC committee procedures when making contacts outside the United States. This, however, is on the agenda for the MBO Ad Hoc Subcommittee on Global Affairs for their recommendation.

Answer: GAC recommends that Members Council refer this motion to the Society Executive Committee because many of the contacts with non-U.S. Government Officials take place by the Board of Directors and the Executive Committee.

The Executive Committee was not in favor of this motion. The consensus was that GAC is already actively approaching this issue and no additional action is needed at this time. **(Complete)**

Argentina Chapter – Motion 4m (10/14/2016):

That Members Council addresses the membership application process for Student Branch Advisors, beginning July 1, 2017.

Answer: This motion was referred to the Membership Promotion and Student Activities Committees for consideration. **(Complete, see MP Committee and SA Committee responses below.)**

MP Committee Response: The MP Committee agrees and directed staff to quickly implement this. The Student Activities Staff Liaison will have this completed after the 2017 Winter Conference.

SA Committee Response: The SA Committee proposed that a solution to this motion would be to utilize FormSite to create a SBA membership application similar to the process for SmartStart membership. An action item was assigned to staff and this should be complete by July 1, 2017.

Argentina Chapter – Motion 4n (10/14/2016):

That the Student Activities Committee translate the (1) student branch manual for operation, (2) instructions how to become a student branch advisor (SBA), (3) instructions about how to fill out the forms and apply to become an SBA, (4) “what supporting documentation is required to be produced and sent with the application,” into the Spanish and Portuguese languages, and posted on the ASHRAE website, beginning July 1, 2017.

Answer: This motion was referred to the Student Activities Committee for consideration. The SA Committee supports this motion and understands the need for the documentation to be translated. It was discussed that this could not be achieved before July 1 but that staff would explore the costs involved and the budget available. **(Complete)**

Brasil Chapter – Motion 4o (10/14/2016):

That the option be offered to members of the Brasil Chapter for the annual membership fees and benefits to be reduced to the same amount charged to members of the Developing Economy Program, i.e. USD \$102, for a period of two years, effective July 1st 2017.

Answer: This motion was referred to the Finance Committee. The Finance Committee was not in favor of this motion. The motion suggests special treatment be provided to one chapter due to local economic struggles. Although all committee members sympathize with these struggles, we find no better tool than the classification system used by the World Bank to define what is considered a Developing Economy country. **(Complete)**

Florida West Coast Chapter – Motion 4p (10/14/2016):

That an ad hoc committee be created to evaluate dues options to assist in changing world economies and payment options.



Answer: This motion was referred to the Finance Committee for consideration. The Finance Committee was not in favor of this motion. Although all committee members sympathize with such local economic struggles, the motion suggests unique treatment be provided for some or several chapters based on yet undetermined criteria related to the economic status of a country. It further suggests that ASHRAE expend considerable resources to form an ad-hoc committee to study the matter further and to determine this criteria. In addition, it would impact current historical cash flow of ASHRAE revenue and result in other potential unintended consequences with respect to added administrative burdens on ASHRAE staff; likely increasing staff time and cost dealing with such a plan as currently no other member classification in ASHRAE has a payment plan. **(Complete)**

Argentina Chapter – Motion 5g (10/14/2016):

That the Student Activities Committee consider establishing rules that allow one mentor per Chapter to have the same member cost and benefits as the student branch advisor, beginning July 1, 2017.

Answer: Members Council was not in favor of this motion. This would be logistically hard to track, who determines who gets the benefits and what are the qualifications. **(Complete)**

Central Florida Chapter – Motion 6 (10/14/2016):

That Members Council recommend to the BOD, that the President appoint a “task group” to study the process and procedures of “Nominating Committee” ROB 2.415, its MOP, and related Bylaw sections pertaining to the Society Nominating Committee, and make recommendations to the BOD, for updates and enhancements, beginning January 1, 2017.

Answer: This motion was referred to the Society Nominating Committee for consideration. In response to this motion and other feedback received by the Nominating Committee (NC), it was brought to the attention of NC that the NC Manual of Operations and Reference Manual were not available to on the ASHRAE website, this has been corrected. It was felt by a majority of the voting members in attendance that the general membership may have felt the NC process was being kept in secret to somehow hide the process. With the posting of the above listed documents, the concerns expressed in this motion have been satisfied. **(Complete)**

Chile Chapter – Motion 7g (10/14/2016):

That the ASHRAE standards and guidelines identified as being required to be used in the Student Design Competition be provided for use, during the course of the competition, in both English and Spanish (if available) language, at no cost to the chapter or student branch, beginning January 2017.

Answer: This motion was referred to Publishing and Education Council for consideration. PEC was not in favor of this motion. ASHRAE’s most demanded standards (such as, 90.1, 62.1, 189.1) are available (English language only) in read only format on the ASHRAE website. If Student Activities wishes standards not currently available as read only to be made available for such access, they should advise the Director of Publishing and Education (Steve Comstock). It should be noted a cost is incurred based on the number of views for read only standards. Also, Spanish language translations of many ASHRAE documents are not available and translations into other languages have even less availability. Many ASHRAE Chapters support students in design competitions by purchasing standards for student use. It is recommended this solution be considered. **(Complete)**

Southwest Florida Chapter – Motion 7h (10/14/2016):

That the Honors and Awards Committee ~~consider making make~~ changes to their rules such that, candidates for the Distinguished Fifty-Year Member Award should be considered and approved during their 49th year of membership so they can receive the award at the Annual Meeting of their 50th year, beginning July 1, 2017.

Answer: The above amended motion was referred to the Honors and Awards Committee for consideration. The Honors and Awards Committee was in favor of this motion and the motion was



approved. **(Complete)**

Central Florida Chapter – Motion 7i (10/14/2016):

That Members Council form a “task group” to study qualification requirements for the chapter nominating committee component in the “Manual for Chapter Operations,” Section 2.12, and related documents and make recommendations for updates and enhancements that will provide improved chapter guidance, beginning January 1, 2017.

Answer: This motion was referred to the Members Council Region Operations Manual Subcommittee for consideration. The motion was approved followed by an approved motion to revise Section 2.12, Nominating Committee and Election Procedure in the MCO **(Complete)**

Spacecoast Chapter – Motion 7j (10/14/2016):

That Society allows ASHRAE Chapters to utilize its e-mail engine and domain name to transmit mass e-mails to its Chapter memberships, effective July 1, 2017.

Answer: This motion was referred to the Electronic Communications Committee and IT Staff for consideration. ASHRAE Society cannot take responsibility for chapter and region email communications. A whitepaper from ECC regarding basic email best practices is forthcoming for the Long Beach Annual Conference and will be made available via the ASHRAE website. The use of ASHRAE’s domain for sending emails could blur the line between chapter and Society communications in the eye of Internet Service Providers and could cause Society emails to be blocked, blacklisted, or undelivered depending on what is sent by the chapters and to whom. In addition, Society has a special and specifically-negotiated contract for its email service provider, RealMagnet, to send emails and provide marketing automation technologies at an enterprise level for Society. **(Complete)**

Spacecoast Chapter – Motion 7k (10/14/2016):

That ASHRAE budget and allocate one Distinguished Lecturer visit per year to each ASHRAE section sponsored by region, beginning January 2017.

Answer: This motion was referred to the Chapter Technology Transfer Committee for consideration and later referred to CTTC’s DL Subcommittee. The Committee was not in favor of this motion and felt, as worded, that this motion would diminish RVC discretion to allocate visits among the chapters, sections, and student Branches in his/her Region. However, the Committee understood the intent behind the motion and has developed an ad hoc to review the current DL allocation formula to determine if sections should be included in the formula and/or if any other adjustments are appropriate. **(Complete)**

Colombia Chapter – Motion 12b (10/14/2016) / Motion 16 (01/31/2017):

That the PAOE Subcommittee suggest that the next President-Elect consider that PAOE points be awarded for chapters who promote and use the new Electronic Communications technologies, beginning July 1, 2017.

Answer: This motion was referred to a new “ECC” subcommittee of the Members Council PAOE Subcommittee for consideration and was approved by Members Council. **(Complete)**

Argentina Chapter – Motion 12c (10/14/2016) / Motion 17 (01/31/2017):

That the PAOE Subcommittee suggest that the next President-Elect consider that PAOE points be awarded for chapters whose members register to take one of the ASHRAE certifications, beginning July 1, 2017.

Answer: This motion was referred to a new “CTT” subcommittee of the Members Council PAOE Subcommittee for consideration and was approved by Members Council. Chapters can earn points just by taking the exam. **(Complete)**



Florida West Coast Chapter – Motion 10 (11/5/2015):

That ASHRAE changes its rules (Bylaws) such that Life Membership status in ASHRAE be extended to any member in good standing using a formula that calculates a total combined score of 95 or greater, when age and years of membership are added together [provided they have reached the age of 65](#). The member shall retain all of the rights and privileges of the most recent membership grade, starting July 1, 2016.

Answer: Members Council was not in favor of this motion. The fiscal impact if implemented is a potential current loss of revenue of \$226,240 (20 years+)/ \$151,500 (25+ years) to Society, in addition to the \$1,079,084 that we are not receiving from the Life/Presidential members currently. **(Complete)**

Argentina Chapter – Motion 13i (11/5/2015):

That ASHRAE society provide the appropriate discount to products and services, including membership applications and renewals, applied to ASHRAE member pricing when in-country government charges “government tax” to purchasing “out of their country” purchases (such as the 35% extra charge, over and above interest, in Argentina), starting 1/1/16.

Answer: This motion was referred to the Finance Committee. The Finance Committee was not in favor of the motion to lower costs of membership to accommodate local tax. ASHRAE would have to apply this policy to all members in all countries which would not be feasible. **(Complete)**

Argentina Chapter – Motion 13k (11/5/2015):

That the Handbook Committee offer the online version of the “handbook of the year,” as the member benefit annually, starting 1/1/16.

Answer: This motion was referred to Publishing and Education Council (PEC) to investigate the options and possibilities of finding other ways to do this. PEC reported this is currently a benefit option for members. **(Complete)**

Colombia Chapter – Motion 13m (11/5/2015):

Recommends to Members Council and the Certification Committee that the six ASHRAE certification exams have a candidate selectable “voluntary informative appendix option” that is translated into the Spanish language, and attached to the primary current exam format which is in English, beginning January 2016.

Answer: This motion was referred to Publishing and Education Council (PEC) and is currently under consideration by the Certification Committee. Based on the polices below, neither PEC or the Certification Committee were in favor of this motion. **(Complete)**

- The ANSI accreditation standard states: “Policies and Procedures for certification of persons shall be fair among all applicants, candidates and certified persons.” The Committee does not believe it would be able to translate its certification exams into all of the languages of all possible candidates, and questions if it would be fair for some non-native English speaker examinees to have exam translations and others not to have such translations.
- Generally, the Certification Committee strives for consistency among all programs, offering the same certification per key, built-environment job to all applicants. At current application rates it would not be sustainable to have multi-language certifications for the same job, some ANSI-accredited and some not. Such an effort reasonably would require all such ancillary materials – applications, *Candidate Guidebooks*, web-pages, practice exams, reference materials – to be translated, as well.
- After Motion 13m was brought forward, the Certification Committee agreed to provide non-native English speakers with an additional 30 minutes of testing time to ensure they are afforded enough time to demonstrate competency.
- Offering non-native English speakers a translation of all exam questions would mean they



would have twice as much to read as native English speakers, which would negate the benefit of the additional 30 minutes of testing time.

Colombia Chapter – Motion 13n (11/5/2015):

That Members Council and the Certification Committee extend by an extra 45 minutes the assigned time limit to complete by applicants the six ASHRAE certification exams, for those candidates whose native language is not English, beginning January 2016.

Answer: This motion was referred to Publishing and Education Council to determine: how the extra 45 minutes affect those who speak and read English vs. those who do not; and does it affect the outcome of those under pressure to complete the exam.

PEC approved a Certification Committee decision to allow the addition of 30 minutes of testing time to all 6 certification exams, on request by applicants who self-attest that they are a Non-native English speaker, and allow any exam candidate who has failed one or more of the six certification exams to reapply and retest at no charge during a one-year retake window from April 1, 2016 – March 31, 2017, provided they self-attest that they are a Non-native English speaker. **(Complete)**

Argentina Chapter – Motion 16B (11/5/2015):

That ASHRAE translate the “SmartStart” membership program into Spanish and Portuguese, starting 1/1/16.

Answer: This motion was referred to the Student Activities and YEA Committees for consideration. The Committees were in favor of this motion and advised that the documents should also be posted under the student and general membership pages. **(Complete)**

Argentina Chapter – Motion 26 (11/6/2015):

That ASHRAE Certification Committee allow email communication of grade to candidates taking non-computer exams, starting 1/1/16.

Answer: This motion was referred to Publishing and Education Council. The Certification Committee determined that pass/fail email notifications are already being sent to all pencil-and-paper and international computer-based exam candidates. While U.S. based exam candidates do receive notification of exam result immediately upon completing their exam, pencil-and-paper and international web-based exam candidates receive their exam result post-examination, in both electronic format and in hard-copy letter format, as their exams must be scored off-site. ASHRAE’s exam development partner uploads the results of a given month’s examinations usually by the 7th of the following month. Within approximately one week of receipt, ASHRAE staff communicate with all pass and fail examinees electronically regarding next steps related to their exam result. **(Complete)**

Argentina Chapter – Motion 27 (11/6/2015):

That ASHRAE Marketing Department produce and offer chapters a PowerPoint based promotional presentation (~~with embedded video~~), starting 1/1/16.

Answer: The amended motion as shown above was approved. **(Complete)**

Spacecoast Chapter – Motion 29j (11/6/2015):

That Members Council recommends to the Chapter Technology Transfer Committee (CTTC) grassroots committee be allowed to create a CTTC Co-Chair designation in our rules, for use by ASHRAE Chapters, effective July 1, 2016.

Answer: This motion was referred to the Chapter Technology Transfer Committee (CTTC) for consideration and the committee was in favor of the motion. **(Complete)**



Brasil Chapter – Motion 34c (11/6/2015):

That Members Council changes its current CRC transportation reimbursement policy such that the chapter can assign substitute chapter BOG officers/chairs from the following seven committee positions prior to CRC each year to have transportation reimbursement for CRC participation: CTTC, GGAC, H&A, Historian, Refrigeration, Student and YEA, even though they may not be currently listed on the CIQ on file at HQ, beginning July 1, 2016.

Answer: Members Council was not in favor of this motion. A substitute is not reimbursed for attendance to a CRC because the actual chapter chair receives the training in order to do their work for the year. It may be more difficult for someone to go back to the chapter and relay everything learned, discussed and Q&As from the workshops. There were a few instances (2 or 3) where if the reimbursed chapter position was unable to attend the CRC, chapters replaced the initial chair with the substitute. In other words, the substitute became the chair for that Society year because the substitute received the training for that position. Also, staff was notified well in advance of the CRC before the chapter made their request.

(Complete)

Southwest Florida Chapter – Motion 34d (11/6/2015):

That ASHRAE create a Chapter Email Group in the ASHRAE Database, accessible on the secure ASHRAE website, that can be downloaded by the chapter President and secretary, with up to date email addresses of all chapter assigned members, beginning January 1, 2016.

Answer: Members Council was not in favor of this motion. This information is already available in the chapter reports and is covered in the MP centralized training workshop. MP also has step-by-step instructions in PowerPoint on the MP webpage. **(Complete)**

Central Florida Chapter – Motion 35 (11/6/2015):

That Society (via their IT department) changes its online webpage software and adds a field or search option to the “Find an ASHRAE Certified Professional” webpage that allows a user to search or filter by Chapter Membership, effective July 1, 2016.

Answer: Members Council was not in favor of this motion, however an action item was assigned to the IT Staff to create a report that chapter officers can access that lists all of the members in their chapter that earned certification during the Society Presidential year. Something like this would be a typical report request and might take one of our developers a few hours. The audience for the existing report on the website is broader than chapters, so it makes sense for the chapters to have a separate report that contains (just) the information they need.

This is currently available on the Certification website. Select Certification under the Education & Certification tab then click on the Find an ASHRAE Certified Professional on the left side of the screen. The list includes members and nonmembers. **(Complete)**

Argentina Chapter – Motion 38 (11/6/2015):

That Society establish an official YEA CRC committee grassroots presence and workshop by funding transportation for Young Engineers in ASHRAE (YEA) Chapter Committee Chairs to attend Chapters’ Regional Conference (CRC) YEA Workshops, effective July 1, 2016.

Answer: Members Council was not in favor of this motion. Chapter committee chairs should not receive transportation reimbursement unless they are grassroots committees. **(Complete)**

Region XII (Spacecoast Chapter) – Motion 6g (10/2/2014):

That Society change its existing rule and reporting metric of attaining Chapter membership goals from using the difference of Chapter Area-Assigned Members (AAM) between the first and last days of the Society year to being equal to new Society memberships at the Associate and Member levels brought by



that Chapter subtracted by cancelled Society memberships at the Associate and Member levels in that Chapter for that respective Society year, beginning on July 1, 2015.

Answer: This motion was referred to the Membership Promotion Committee. The Membership Promotion Committee was not in favor of the motion. The Area-Assigned Members (AAM) figure includes all member grades except Student members. This means that Members who change to Retired or Life membership are included in the AAM figure. As mentioned in the background, transfers (both in and out of a chapter) are counted as gains or losses for chapter. The number of transfers is usually not significant, but it is if a chapter's starting AAM is adjusted accordingly (for example, if a new chapter is established and a large number of members are transferred out of an existing chapter and assigned to the new chapter, then the AAM for that existing chapter would be adjusted so they weren't penalized for those who transferred out). Based on a review of total transfers in all chapters during the 13-14 SY, the net number of transfers were +7, so the majority of chapters were positively impacted by transfers. Another point to consider is that some new members are assigned to a "Default" Chapter when they join, and are then manually transferred into the correct chapter. If we do not count transfers, then these new members would not be counted. **(Complete)**

Region XII (Colombia Chapter) – Motion 9 (10/2/2014):

That members of local HVAC societies (for instance ACAIRE in Colombia), that a 15% discount is given to their annual dues to ASHRAE, beginning July 1, 2015.

Answer: Members Council was not in favor of this motion. It sends a mixed message when other chapters have had this same request, they were turned down. This issue should be dealt with globally and not on a case-by-case basis. Although the motion failed, Members Council sent this information to the Society Planning Committee as an information item concerning global issues that should be reviewed. **(Complete)**

Region XII (Colombia Chapter) – Motion 16 (10/2/2014):

That a special discount of 10% is given for renewal memberships for ASHRAE members who belong to the Board of Governors of each chapter, in order to increase the number of volunteers in each region, beginning July 1, 2015. Pertains to the list of Developing Economies by World Bank only.

Answer: Members Council was not in favor of this motion. It was determined that if ASHRAE provided a 10% discount for all Chapter Board of Governors, it would have to be done for all chapters of ASHRAE and would not be feasible because of the fiscal impact. **(Complete)**

Region XII (Colombia Chapter) – Motion 28 (10/2/2014):

That Society to translate ASHRAE's web site into Spanish.

Answer: Members Council was not in favor of this motion. The ASHRAE website has thousands of pages, many of which would make the translation almost impossible to perform as well as maintain to ensure that the pages stay up to date. A solution may be to use a web tool such as Google to translate pages as needed. **(Complete)**

Region XII (Florida West Coast Chapter) – Motion 29 (10/2/2014):

That the DL be allowed to negotiate with the CTTC chapter chairman and CTTC RVC to include/add one additional multi-chapter visit in their region during an allocated DL assignment, beginning 1/1/2015.

Answer: Members Council was not in favor of this motion. Chapters already do this, if DL visits are planned ahead, the visit can be easily shared with chapters in the area. **(Complete)**

Region XII (Florida West Coast Chapter) – Motion 16 (01/27/2015):

That ASHRAE modify its membership dues invoice to allow section members (of a region) to voluntarily pay local section dues (to their sponsoring region) while paying Society dues, beginning January 1,



2015.

Answer: Members Council was not in favor of this motion. It was determined that staff should investigate ways for section members who are not assigned to a chapter to pay dues. There is no system in place that can address this issue. The current software system would require major payment programming changes and implementation would be cost prohibitive. **(Complete)**

Southwest Florida Chapter – Motion 1.6 (10/5/2013):

That when an opening for a position on the Young Engineers in ASHRAE Committee needs to be filled, all chapters in the affected Region be notified. Sufficient information should be provided to the chapters including, a link to the nomination page on the ASHRAE Website, the deadline for the nominations, the term of the position, a description, scope, out of pocket expense and qualifications for the position.

Answer: This motion was referred to the staff liaison for the YEA Committee. The YEA Committee reaches out to the DRC of each region who will have a vacant YRC position for the next Society year and asks for nomination recommendations. The YEA Committee asks the DRC to consult with his/her chapter leadership and regional team to gather a pool of candidates for the YRC position.

Nominations can also be made at each region's CRC for the YRC position. These nominations are reviewed by the YEA Committee along with other eligible candidates. The YEA Committee will also reach out to chapter leadership (along with the DRC) when soliciting nominations for the YRC position. This will assure that each chapter is aware of an upcoming YRC vacancy and they will have the opportunity to submit their own nominations. **(Complete)**

Central Florida Chapter – Motion 1.7 (10/5/2013):

That Society offer options to collect membership dues via recurring monthly/yearly transaction.

Answer: This motion was referred to the ASHRAE Comptroller's Department. To capture dues monthly, we have to keep credit card info in the database and will not be able to keep PCI compliance which are security issues. **(Complete)**

Colombia Chapter – Motion 7B (10/5/2013):

That Society publish weather design data information and weather data bins for 50 additional representative cities of varying elevations in Central, South America and Caribbean Area within the next two years starting July 2014 for publication into the Fundamentals weather data tables.

Answer: This motion was referred to Technology Council to determine what actions are needed to implement the motion. The following excerpt was taken from the January 2014 minutes of Members Council: "There was concern the chapter had requested this information more than once. The motion was originally referred to Technology Council via TC 4.2 who made a request to the Colombia Chapter to supply them with the weather data sources. Mr. Aguilo explained the chapter does not have this information and that the TC should be able to provide the data to the chapter or advise them where to find it." **See Attachment B1** from Technology Council. **(Complete)**

Region XII Delegate (on behalf of the Dominican Republic Section) – Motion 11 (10/5/2013):

That a regional meeting place in the hallway outside the Plenary Session, for 15 minutes following the end of the Plenary session, at the Annual and Winter meetings be announced, placed in the meeting guide, and facilitated by ASHRAE staff along with an official photographer, in order to increase regional member participation and connections, beginning January 2014.

Answer: Members Council was not in favor of this motion. This would be very challenging from a logistical perspective and more expensive than noted in the fiscal impact from the CRC. There is nothing to prevent the regions from getting together at conferences on their own. Staff can provide to those



interested, a list of attendees from each region prior to the conference so they are aware of who is attending. **(Complete)**

Argentina Chapter – Motion 14 (01/21/2014):

That the annual status report that each student branch must present in May each year, by the student branch advisor, is used to determine the status of each student branch.

Answer: Members Council was not in favor of this motion. The motion was reviewed by Members Council. In essence, the chapter is asking for a change in the criteria ASHRAE considers when determining whether a student branch is active. The CRC motion as written is not specific about what documentation needs to be changed. The Argentina Chapter was asked to review the MCO to identify exactly where changes should be made and how the materials should be revised. **(Complete)**

Spacecoast Chapter – Motion 38 (10/5/2013):

That the Manual for Chapter Operations (MCO) be revised to allow all YEA members (including Affiliate Grade Members) to serve as YEA Chapter Committee Chairs.

Answer: Members Council was not in favor of this motion. In the background of the motion, the chapter indicate that the Affiliate grade is under the age of 35 but is actually 30 years or younger. The Affiliate grade is an introductory membership for individuals 30 years and younger who will automatically transfer into Associate grade after 3 years. The Affiliate grade does not have voting privileges at the Society or Chapter level. Affiliate grade members cannot sign a petition if a chapter or section is formed in their area. If Affiliate grade members hold chapter chair positions, it would apply to all positions in the chapter including the chapter president because it would be opened in the database for all. Currently, the database is programmed to not accept Affiliate and Student grades for chapter positions.

Update: During the 2015 Chicago Conference, Members Council approved a motion for the YEA position to serve as committee chair if the member is Affiliate grade. **(Complete)**

Brasil Chapter – Motion 4.2 (10/19/2012):

That the certification exams given to non-native English speaking country members (members who speak English as their 2nd or 3rd language) shall have 45 minutes extra time allowed for the exam because of reasonable burdens encumbered, such as language and translation difficulties, etc., effective immediately.

Answer: This motion was referred to the Publishing and Education Council. The following information is the response from the Certification Committee:

The Certification Committee recognizes this concern but is pursuing an alternative solution to the problem because of the statement that there is no fiscal impact is wrong. The current policy of the Certification Committee is to allow candidates from the international community a second opportunity to pass the exam at the ASHRAE cost which is in the \$100-\$125 range (depending on the certification program). The basic problem is language and translation difficulties. Our solution is to have the candidates better prepared to complete the exam. One educational aspect is the recent development of the ASHRAE Wiki which will give test takers a single location to become better familiar with the terminology and definitions of technical terms in the relevant ASHRAE Standards and Guidelines.

While the framework and basic definitions of each term are there, it will take some time to more completely populate each entry. But a candidate with an appropriate list of terms related to the certification exam that they plan to take could have a more thorough understanding of the appropriate technical terms after using the ASHRAE Wiki. Our second thrust toward solving this problem is to encourage local chapters and Associate Societies in non-English speaking countries to schedule related Professional Development Courses prior to their offering the Certification Exams. ALI could contract

with chapters and societies for instructors to lecture outside the US, but ALI also offers opportunities for courses to be licensed for translation and local reproduction and use. By having a local instructor teach the technical content in the native language (with, hopefully, some English technical terms blended in) it is hoped that the candidate attending the program would have a better understanding of how all the concepts relate. The Certification Committee is currently working with one nation to demonstrate the effectiveness of this approach, but it will be at least another year before the results are in. eLearning is also available and is completely web accessible.

Next we turn our attention to the fiscal impact of the proposed solution. Psychometrics (without the “r”) is the study of measuring knowledge, abilities and educational measurement. To quote from Wikipedia, “The field is primarily concerned with the construction and validation of measurement instruments...” Psychometricians will tell you that simply moving a single exam item from the top of the page to the bottom of the page can affect exam results making the validation of measurement instruments more difficult. To allow all international candidates extra time would essentially create a new cohort of exam results that would need to be separately analyzed and tracked by the testing agency employed by ASHRAE. This would have a significant fiscal impact on the operation of the certification program (estimated at \$1,000.00 per test for a one-time cost of \$6,000.00). In addition, that additional cost is an order of magnitude higher than the income generated by the current number of international test takers. The annual average number of applicants outside the USA and Canada is approximately 60 exam registrants for all six exams. The cost to process each of their examinations by AMP would be an additional \$50.00. Psychometricians like to have at least 100 results to feel confident that their data are reliable. At current rates on the international market, it would take over a decade of testing per exam to get to that minimal level of confidence with the proposed solution. That is longer than the life cycle of the exam itself.

It may be worth noting that pass/fail rates outside the USA and Canada are similar where English is the native language (i.e. UK, Australia, New Zealand) as compared to non-English speaking countries (i.e. Argentina, Colombia, Costa Rica). While time and language may be obstacles to some degree, the larger issue in having low pass rates from outside North America appears to be lack of familiarity with references used in North America, largely ASHRAE Standards, upon which the examinations are based. The Certification Committee will continue to monitor pass/fail rates in all countries and encourages the use of ASHRAE training materials to help those members outside the US and Canada gain a better understanding of the body of knowledge that the exams cover. **(Complete)**

Colombia Chapter – Motion 5.2 (10/19/2012):

That Society sponsors and organizes an Energy Modeling/Assessment/Audit Conference to be held within Region XII in 2013-14.

Answer: This motion was referred to the Conferences and Expositions Committee (CEC). CEC conducted its second Energy Modeling Conference in October 2012, both conferences were held in Atlanta. CEC supports the concept that energy modeling should play more of a mandatory role in the design process.

Currently, CEC is reviewing the recently held conference and planning the next one. A large part of the success of the Specialty Conferences to-date has been a location that provides a significant market of potential attendees; this needs to be a consideration in selection of a location for any Specialty Conference. It is reaching out to IBPSA-USA to be an endorser for the next conference proposed for March 2014. The Steering Committee members are currently being sought, and input could be provided by members of Region XII. **(Complete)**

Colombia Chapter – Motion 8.1 (10/19/2012):

That the ASHRAE Executive Committee propose and execute a delegation from ASHRAE (Region 12 representative and a Society Officer) to make an official visit to a Cuban University to present a 4-hour technical seminar, to be performed in 2012-13.



Answer: This motion was referred to the ASHRAE Executive Committee. The Executive Committee did not approve this motion because of the following comments: ExCom agrees in principle with the value of an official visit to Cuba, but does not feel it is feasible to organize the visit this year and does not want to commit to the specific requirement of a technical seminar. However, efforts to organize a presidential visit in 2013-14 Society year are underway. **(Complete)**

Colombia Chapter – Motion 8.2 (10/19/2012):

That Society promote and sponsor partially a Region 12 Student Conference to be held in Cartagena, Colombia during the Ibero-American HVAC&R Congress (CIAR) to be held in July 2013.

Answer: This motion was referred to the ASHRAE Executive Committee. The Executive Committee amended Motion 8.2 as follows: [That Society promote and support, by sending the ASHRAE President to a Region XII student conference to be held in Cartagena, Colombia, during the Ibero-American HVAC&R Congress (CIAR) to be held in July 2013.] In Society year 2013-14, Mr. Bahnfleth will represent ASHRAE at the 2013 CIAR conference. **(Complete)**

Central Florida – Motion 12 (10/19/2012):

That purchasers of ASHRAE e-books shall have the ability to print from the documents for their personal use without data omission.

Answer: Members Council was not in favor of this motion. Comments opposing this motion noted that full content is intended to be printable PDF copies. Faulty PDF files and Acrobat version incompatibilities are sometimes responsible for a variety of access problems. If users are having difficulty with printing, they should make ASHRAE staff aware of the specific problem they are experiencing so it can be investigated and resolved. **(Complete)**

Florida West Coast Chapter – Motion 13 (10/19/2012):

That ASHRAE offers a limited time discount for standards that are being presented by local chapters.

Answer: Members Council was not in favor of this motion. ASHRAE sales policy allows for chapters to purchase standards on consignment at a discount and there is no limit on the time a discount can be offered. At some point after receiving their shipment, chapters do need to account for publications received, either by returning them or providing payment, but ASHRAE works with chapters that communicate their needs. **(Complete)**

Florida West Coast Chapter – Motion 14 (10/19/2012):

That Society change the title of the annual ASHRAE Handbook to ASHRAE GUIDE and DATA BOOK or ASHRAE GUIDE.

Answer: Members Council was not in favor of this motion. The previous “Guide and Data Book” series is still referenced although it was renamed the “ASHRAE Handbook” in 1967. Comments opposing the motion noted that the requested rebranding/relabeling would require substantial effort and cost. The previous “Guide and Data Book” series is still referenced although it was renamed the “ASHRAE Handbook” in 1967. Comments opposing the motion noted that the requested rebranding/relabeling would require substantial effort and cost. **(Complete)**

Central Florida Chapter – Motion 27 (10/19/2012):

That the Student Activities Committee shall give priority to students who have registered to participate in the Design Competition when filling spots for the student tour at the winter meeting.

Answer: Members Council was not in favor of this motion. Comments opposing the motion noted several reasons for not changing the existing policy, including 1) lack of compatibility with last minute student registration for conferences; 2) holding spots for the design competition could lead to lower participation in the tours; 3) students participating in the design competition do not always register in



time; and 4) the tour site will not always coincide with the design competition building. **(Complete)**

Brasil Chapter – Motion 22.3 (01/29/2013):

That the Society create a more easy way for members to upgrade their educational record at the “Manage My Membership” menu by adding first level filter of “Country” before the drop down button “Institution.”

Answer: This motion was approved. **(Complete)**

Argentina Chapter – Motion 10 (11/5/2011):

That the ASHRAE Student’s application form be available in Spanish language, on paper and the website, effective July 2012.

Answer: This motion was approved. The student membership application has been translated into Spanish and Portuguese and the applications are available in PDF on the website. **(Complete)**

Argentina Chapter – Motion 11 (11/5/2011):

That ASHRAE create a new student membership category, called “Students-K-12.” These student members would pay a flat annual dues rate of \$5 and they will receive only electronic ASHRAE news and Insights by electronic e-mail only, effective July 2012.

Answer: This motion was referred to the Student Activities Committee for consideration. The committee reported in theory, this is a great idea but at this moment, ASHRAE does not offer a program interesting to a K-12 audience. A child would not find the ASHRAE Journal or Insights’ articles interesting or appropriate. The STEM ad hoc committee could look into a K-12 membership program. **(Complete)**

Argentina Chapter – Motion 12 (11/5/2011):

That each chapter is automatically allotted at least 1 Distinguished Lecturers (DL) visit per year, effective July 2012.

Answer: Members Council was not in favor of this motion. \$35,000 was added to the CTT budget which allowed an additional allocation of 33 DL visits for a total of 153 visits. To implement this motion, it would require an additional \$23,400. CTTC encourages multiple chapter visits by the DLs when possible. If the motion was implemented, it would restrict the flexibility of the DRC and RVC because the DL visits are allocated to the region, not the chapter. **(Complete)**

Central Florida – Motion 25 (11/5/2011):

That Society provide record of Event Summary Critique Form scores for Distinguished Lecturers on the Distinguished Lecturers spreadsheet for Chapter Programs Chairs to evaluate.

Answer: This motion was approved. It will be accommodated by posting the Distinguished Lecturer Visit Evaluation Summary Report on the DL webpage beginning February 2012 (www.ashrae.org/distinguishedlecturers). The report which is already produced for CTTC members for their own purposes, provides reported ratings by chapters of DLs as well as lecturer ratings of chapters. **(Complete)**

Brasil Chapter – Motion 32 (11/5/2011):

That ASHRAE approve and support meetings through the electronic media like “Go-To-Meeting” or SKYPE or any other software for the meetings of the members of the Society. This will develop a process that will allow ASHRAE Members to participate in the Technical Committee TC meetings from their home or office during the Winter and Summer meetings.

Answer: Members Council was not in favor of this motion. It would be cost prohibitive (\$1.4M) to



implement electronic communications for all councils and committees during the Society winter and annual conferences. **(Complete)**

Colombia Chapter – Motion 33 (11/5/2011):

That Society publish weather design data information for a minimum of 50 additional representative cities of varying elevations in Central and South America within the next two years starting July 2012 for publication into the Fundamentals weather data tables.

Answer: This motion was referred to Technology Council. Technology Council was not in support of the motion. TAC and TC 4.2 believe that the subject of this referral has already been addressed in a previous referral from the Colombia Chapter on weather data and they are willing to work with the Colombia Chapter if they come forward with new weather data sources as suggested in a FAQ that the TC developed in response to the earlier referral. No additional effort can be taken without new data sources. TAC and TC 4.2 consider this referral closed until the chapter comes forward with new sources of weather station data for evaluation by TC 4.2. **(Complete)**

Colombia Chapter – Motion 34 (11/5/2011):

That Society develop an international conference on tropical climates to occur in Bogota, Colombia.

Answer: This motion was referred to the Conferences and Expositions Committee who reviewed the motion and attempted to coordinate this conference with another group (CARR). To date the conference has not been scheduled. **(Complete)**

Argentina Chapter – Motion 18 (10/24/2010):

That ASHRAE have its main page, www.ashrae.org in Spanish as well as it's original in English, and that the original in English would have a Spanish option for the "Renew Membership" link. This way it would be easier for Spanish speakers to join and renew their membership. Effective June 30, 2011.

Answer: This motion was referred to Publishing and Education. The Electronic Communications Committee (ECC) completed a video on "How to Join ASHRAE and How to Renew Membership" in Spanish. This will be posted on the ASHRAE website before the end of March 2011. ECC believes that the production/posting of this video will address Motion 18 and therefore considers this motion closed. **(Complete)**

Argentina Chapter – Motion 19 (10/24/2010):

That ASHRAE pay transportation costs for the attendance and participation of one member representing each Section at CRCs effective fiscal year 2011-2012.

Answer: Members Council was not in favor of this motion. There is no definition that states what role this person will have at CRC or its cost vs. the value for attending. **(Complete)**

Gold Coast Chapter – Motion 20 (10/24/2010):

That monetary transactions that occur between Society and the local chapters be offered to be done electronically.

Answer: This motion was approved. **(Complete)**

Central Florida Chapter – Motion 21 10/24/2010):

That ASHRAE continue to collect chapter dues at the time of annual Society membership renewal with limited option for the member to opt out. If the member opts out of paying chapter dues, that member is assigned directly to ASHRAE Society and not as an "area-assigned" chapter member.

Answer: Members Council was not in favor of this motion. The MCO, Section 14, Regional Operations



offers the choice to access area assigned members or chapter dues paying members. **(Complete)**

Update: Members Council approved a motion that regions assess area assigned members only.

Argentina Chapter – Motion 38 (10/24/2010):

That ASHRAE should create a new Ibero-American Region that includes all existing and future Ibero-American (Spanish and Portuguese speaking) Chapters and Regions, starting June 2012.

Answer: Members Council was not in favor of this motion. It does not meet the current criteria for the formation of a region. **(Complete)**

Argentina Chapter – Motion 39 (10/24/2010):

That ASHRAE provide preferential membership fee discounts (50%) to new members who are joined during certain events, such as ASHRAE membership nights and webcast transmissions. This would be a great tool to capture new members.

Answer: Members Council was not in favor of this motion. In most cases new members do not retain their membership after the first year when offered at a special discount. Membership Promotion does take into consideration the offering of discounts when merited but should not be mandatory for all events. **(Complete)**

Argentina Chapter – Motion 40 (10/24/2010):

That ASHRAE would provide e-learning courses in other languages other than English.

Answer: This motion was referred to Publishing and Education Council (PEC). PEC is committed to working with ASHRAE volunteers with translations but at this time translation expenses are high and sales are low. If sales of those standalone tests exceed expectations, development of Spanish language eLearning courses can be further investigated. **(Complete)**

Central Florida Chapter – Motion 41 (10/24/2010):

That ASHRAE publish design climate data for Colombian city of Medellin in the Fundamentals Handbook, resulting in increased member services to our members in South America.

Answer: This motion was referred to Technology Council. Ross Montgomery reported that the TC responded to the chapter concerning this motion and they understand what it is they need to do in order to make this happen in the future. **(Complete)**

Brasil Chapter – Motion 11 (10/25/2009):

That Members Council be allowed to make the decision to change the region that a chapter is assigned to, for good cause, beginning July 1, 2010.

Answer: This motion was withdrawn. **(Complete)**

Spacecoast Chapter – Motion 12 (10/25/2009):

That Region 12 and the Spacecoast Chapter change their boundaries to allow establishment of new sections and chapters on spacecraft and/or celestial bodies other than physically located on the planet Earth, that will allow assignment to the Spacecoast Chapter (for sections) and to Region 12 (for sections and chapters) beginning July 1, 2010.

Answer: Members Council was not in favor of this motion. **(Complete)**

Argentina Chapter – Motion 13 0/25/2009):

That ASHRAE change the rules in the MCO, Section 14-Sections, to allow Regions to have similar rights to



sponsor sections, beginning as soon as possible, but no later than January 2010.

Answer: This motion was approved. **(Complete)**

Argentina and Brasil Chapters – Motion 30 (10/25/2009):

That the dues for members in Mexico, Argentina and Brasil be capped at the World Bank Developing Country rate of \$90 US, beginning July 1, 2010.

Answer: This motion was referred to the Membership Promotion Committee (MPC). MPC determined that Mexico is considered lower middle income on the World Bank List of Economies, and has been included in the ASHRAE Developing Economies dues structure since its inception. Both Argentina and Brasil are not included on the World Bank List of Economies or the OHRLLS, and shall not be considered as eligible for the \$90 developing economies membership rate offered by ASHRAE. **(Complete)**

Argentina Chapter – Motion 31 (10/25/2009):

That ASHRAE offer a more timely and safe option “method of payment” to members for expenses and such, for example via electronic means versus regular mail, beginning as soon as possible, but no later than January 2010.

Answer: This motion was referred to staff. ASHRAE is going to implement this shortly and will notify the chapters. There will be a fee charged by the bank to ASHRAE and the chapters which may be a percentage of the total of each transaction. **(Complete)**

Argentina Chapter – Motion 32 (10/25/2009):

That ASHRAE consider creating a “certification” program for the subject of Refrigeration to be placed on the agenda of the Certification Committee, before or by January 2010.

Answer: This motion was referred to the Publishing and Education Council. The Certification Committee received, through the Publications & Education Council, a referral from Members Council containing a request from the Argentina Chapter for a new certification program in refrigeration. The Certification Committee appreciates the request and welcomes ideas for new programs from ASHRAE chapters and other interested parties. After discussion of the request, the Committee determined that its budget will support the development of only one new certification program in FY 2010-2011 and that a new program for Energy Assessors will have a larger target audience and will meet a more urgent industry need than would a program in refrigeration. As a result, the Committee has decided not to pursue the development of a certification program in refrigeration at this time. However, the Committee may reconsider this topic for a program in the future. **(Complete)**

Argentina Chapter – Motion 33 (10/25/2009):

That ASHRAE produce a one-year “CD+” (to be a 1-year version, searchable, multi-featured, enhanced graphics, etc.), and offer this new “CD+” to all members of ASHRAE, as an alternative to the current printed handbook, as a member benefit, beginning as soon as possible but no later than January 2010.

Answer: Members Council was not in favor of this motion. CD+ sales are between \$150,000 and \$250,000, per year depending upon the volume that is added to the CD. Some of this revenue would be lost, perhaps 10%. More importantly, ASHRAE offers all current volumes for sale to new members, and revenue from this program ranges from \$50,000 to \$125,000 annually depending upon which volume is being updated. This revenue would be substantially reduced, anywhere from \$40,000 to \$100,000 on the year. Finally, there is long term membership impact. If a member is easily able to have all four volumes during their first year, there is a good chance the member will not renew until the Fundamentals volume is next revised. **(Complete)**

Puerto Rico Chapter – Motion 34 (10/25/2009):

That Society celebrate its 2013 Annual Meeting in San Juan, Puerto Rico.



Answer: Members Council was not in favor of this motion. The hotel space needed is not adequate. The Puerto Rico Convention Center has 21 meeting rooms and the Sheraton Hotel which connects to the Convention Center has 20 meeting rooms. Forty-One (41) meeting rooms is not nearly enough for the Annual Meeting right now and by 2013, we will need even more meeting rooms since the requests for rooms increase each meeting. The Sheraton Hotel only has 500 sleeping rooms and we need 900+ on our peak night. There are not any other hotels close by to use as an overflow. **(Complete)**

Puerto Rico – Motion 35 (10/25/2009):

That Society commission a study to study the impacts of implementing ASHRAE Standard 90.1-2007 in tropical locations, starting in July 1, 2010.

Answer: Members Council was not in favor of this motion. A hot humid design guide is already available. The chapter should review the Advanced Energy Design Guide (AEDG) and the Life Cycle Cost Guideline to determine if this satisfies their request. If it does not give them the information needed, then they should submit an abstract and a table of contents to further clarify their request. **(Complete)**

Puerto Rico – Motion 36 10/25/2009):

That Society develop a Green Life Cycle Cost Analysis Guide, so sustainable practices can be implemented into buildings life cycle cost analyses. This motion should have a neutral fiscal impact, since the guide can be developed by volunteers.

Answer: This motion was referred to Technology Council. Technology Council transferred this motion to the TC 2.8 Section Head and responded they will report back if their version of the green guide meets this request. **(Complete)**

Region XII – Motion 54 (10/25/2009):

That Members Council ask the Student Activities Committee to consider and construct rules that will offer student branch members an opportunity to become an “exchange student” for one year to different schools all over the world, beginning July 1, 2010.

Answer: This motion was referred to the Student Activities Committee (SAC). SAC launched a new career services program on ASHRAEjobs.com which is a full service job and resume posting service connected directly to the HVAC&R industry. Employers are able to post internship opportunities at no cost. **(Complete)**

Brasil Chapter – Motion 7 (10/25/2008):

That the ASHRAE Satellite Broadcast has closed captioning (in English) added.

Answer: This motion was approved. **(Complete)**

Central Florida Chapter – Motion 19 10/25/2008):

That Society modify the online new member application process by July 1, 2009 to collect chapter dues concurrently with Society dues as the standard operating procedure and allow the new applicant a method to not pay chapter dues as an alternate.

Answer: Members Council was not in favor of this motion. This is not possible in our computer system and the cost would be significant. Also, by doing this, it does not require chapters to reach out and connect with new members. **(Complete)**

Central Florida Chapter – Motion 20 (10/25/2008):

That Society modify the membership database programming by July 1, 2009 to be able to accept changes to “Chapter Dues Paid” as provided by the chapter membership promotion chair to Society.

Answer: Members Council was not in favor of this motion. This is not possible in our current computer



system. **(Complete)**

Southwest Florida Chapter – Motion 21 (10/25/2008):

That ASHRAE Society move Programs out from under CTTC and have this function standalone and a program director be appointed at the Society level. Each region would have the responsibility of providing a Regional Vice Chair for Programs.

Answer: Members Council was not in favor of this motion. The DL Program has grown and is working well under CTTC. **(Complete)**

Argentina Chapter – Motion 14 (09/21/2007):

That each student chapter branch receive a copy of the current handbook (set of 4-paper version) at no cost, if requested through their Student Activities Committee RVC.

Answer: Members Council was not in favor of this motion. Students already get the handbook at a discounted price. **(Complete)**

Florida West Coast Chapter Motion 15 (09/21/2007):

That ASHRAE Society shall produce and provide an educational DVD to each chapter for training of Board of Governors members.

Answer: Members Council was not in favor of this motion. The motion was referred to Members Council Leadership Development Ad Hoc Committee. A DVD is not an interactive tool for chapters. The Leadership Development Ad Hoc Committee determined that a podcast could work better and will continue to research and bring a recommendation back to Members Council. **(Complete)**

Central Florida Chapter – Motion 42 (09/22/2007):

That the Society PAOE "Sustainability Award" be renamed the "Terry E. Townsend Sustainability Award."

Answer: Members Council was not in favor of this motion. There are rules in place when naming awards after individuals. **(Complete)**

Region XII (Central Florida) – CRC Motion 37:

That the following changes as shown below” be made to ROB 1.140.001 “Code of Ethics”, and 3.980 “Enforcement Procedures for Violation of the ASHRAE Code of Ethics,” as shown below, beginning January 1, 2018.

1.140.001 Code of Ethics (74-06-23-28/86-06-22-23/07-01-31-16/13-01-30-61)

1.140.001.1 As members of ASHRAE ~~or participants in ASHRAE committees, when participating in ASHRAE volunteer work of the Society or related or sponsored activities~~, we pledge to act with honesty, fairness, courtesy, competence, integrity and respect for others in our conduct.

- A. Efforts of the Society, its members, and its bodies shall be directed at all times ~~to~~ towards enhancing the public health, safety and welfare.
- B. Members and organized bodies of the Society shall be good stewards of the world’s resources including energy, indoor and outdoor air environmental air quality, natural, human and financial resources.
- C. Our products and services shall be offered only in areas where our competence and expertise can satisfy the public need.
- D. We shall act with care and competence in all activities, using and developing up to date knowledge and skills.
- E. We shall avoid real or perceived conflicts of interest whenever possible, and disclose them to affected parties when they do exist.
- F. The confidentiality of business affairs, proprietary information, intellectual property, procedures, and restricted Society discussions and materials shall be respected.
- G. Each member is expected and encouraged to be committed to the code of ethics of his or her own professional or trade association, in their nation, and area of work.
- H. Activities crossing national and cultural boundaries shall respect the ethical codes of the seat of the principal activity.

3.980 Enforcement Procedures for Alleged Violations of the ASHRAE Code of Ethics
(07-01-31-17)

3.980.001 Every member and body of the Society is responsible for upholding, supporting and enforcing the Code of Ethics. It is the preference of the Society to resolve alleged ethical issues on an informal basis. Where the alleged informal basis process does not produce a satisfactory result, any member or body may initiate a formal written complaint requesting that the Board of Directors (BOD) investigate a breach of ethics by a member or body. The complaint shall be forwarded in a confidential letter to the Board of Directors in care of the executive vice-president and chief staff officer (EVP). The complaint shall clearly identify the complainant and be in the form of a notarized affidavit, signed by a the member of ASHRAE in good standing, that is filing the formal complaint. Staff members, if involved or knowledgeable in this process, shall be instructed that ethics complaints are treated confidentially. If the complaint involves a member of the BOD, that person shall be recused from all deliberations and actions concerning the complaint.

3.980.002 The formal complaint shall include:

ATTACHMENT A

- 3.980.002.1 The name and address of the member or body whose conduct is the subject of the complaint.
- 3.980.002.2 A statement which sets forth with specificity the alleged conduct of the member or body whose conduct is the subject of the complaint. The statement should describe efforts made to resolve the ethical issue on an informal basis, or state reasons why informal efforts were not taken. Specifics that should be included as a minimum are the dates, time, event details (seminar, technical, business, social, etc.), context of circumstances surrounding event, any previous contact(s) made, any subsequent contact(s) made, history of contact or relationship between the accused and complainant, any political or religious issues involved, alcoholic beverages being consumed or served, etc. It shall be signed and dated, witnessed and/or notarized.
- 3.980.002.3 The specific provisions of the Code of Ethics which the conduct is alleged to have violated.
- 3.980.002.4 The names and addresses of persons believed to have direct, first-hand, and relevant knowledge, and witnesses, pertaining to the subject of the complaint. In addition, names of the persons that assisted the complainant write the formal complaint should be disclosed.
- 3.980.002.5 The identification and location of documentation or materials upon which the complaint is based.
- 3.980.002.6 A statement from the member submitting the complaint pledging full confidentiality until such time as the formal investigation is initiated and declaring that they will be present at any hearing at which the complaint is being considered if requested by the deliberating body. The statement shall disclose any and all persons that the complainant has told about the incident, and as a part of the formal action the complainant shall be directed to advise those persons to maintain the same pledge of confidentiality until such time the matter is adjudicated or dismissed.
- 3.980.003** No complaint shall be considered if based on conduct more than two years prior to the complaint or more than two years after the complainant would have reasonably been made aware of the activity forming the subject of the complaint.
- 3.980.004** The EVP shall acknowledge receipt of the complaint within a reasonable period two weeks of receipt. Copies of the complaint shall be distributed only to members of the ASHRAE Executive Committee (ExCom), the member or body that is the subject of the complaint, and to ASHRAE legal counsel. The member or body that is the subject of the complaint shall be given the legal definition of "due process" and shall be presumed, and treated as innocent until proven or adjudicated guilty by our process.
- 3.980.005** ExCom shall review the complaint and conduct a preliminary investigation. During this investigation, the names of the complainant, and accused, and the subject of the complaint will be undisclosed to the extent possible. All interviews with the accused member or body that is the subject of the alleged complaint shall be allowed to be accompanied by a witness or advocate of their choice.

ATTACHMENT A

ExCom will decide to terminate the complaint or present the complaint to the BOD for consideration. If terminated, Within 30 days, of ExCom's decision, the complainant and the "accused." subject of the complaint, shall-will be confidentially notified in writing by the EVP, with a complete explanation of ExCom's action.

3.980.006 ExCom shall may terminate the complaint investigation process at any time if there is any disclosure of the complaint or its contents by the complainant, or witnesses, prior to the complaint being referred to the full BOD, if the complainant fails to respond to a written request for further information within sixty (60) days, or if the complainant has initiated legal proceedings based on the same or related circumstances underlying the complaint.

3.980.007 If the complaint is not terminated by ExCom, the presiding officer of the BOD may recommend to the BOD appoint a three person independent tribunal to conduct a thorough investigation of the complaint. The tribunal may upon reading the complaint with the evidence presented decide to terminate the claim immediately, or continue with the investigation. At the conclusion of the investigation, the tribunal will schedule a confidential hearing to allow the accused member(s) or body charged to respond to the charges. The respondent will be given thirty days' notice of the hearing before the tribunal or the BOD. The hearing may be in writing, electronic or face-to-face, at the option of the accused member(s) or body charged. The hearing will be organized to minimize the cost and inconvenience to the complainant, respondent and members of the tribunal. The tribunal shall prepare a complete report to the BOD including a recommendation of BOD action. If the tribunal recommends that the BOD adjudicate the complaint, all deliberations and transactions shall be kept confidential and in executive session. The presiding officer of the BOD shall keep all directly involved parties informed as to the status of the investigation at regular intervals not longer than every 90 days, as it proceeds towards its final conclusion, determination, or dismissal.

3.980.008 The BOD may censure, warn, suspend or expel a member or members if they are found to have violated the Code of Ethics. Any action against members will be governed by the provisions for discipline in the Society Bylaws.

3.980.009 Complaints that do not have all of the elements listed in 3.980.002 shall be discussed in executive session between ExCom and the member or body whose conduct is the subject of the complaint. Details of the complaint shall be disclosed and the member or body shall be given the opportunity to respond.

3.980.009.1 ExCom shall terminate the investigation process at any time if there is any disclosure of the complaint or its contents by the complainant, witnesses or ExCom.

3.980.009.2 Within 30 days, the complainant and the "accused", shall be confidentially notified in writing by the EVP, with a complete explanation of ExCom's conclusions.

Background: Recent events demand attention and a call for changes to be proposed to our current policy for clarity and fairness. The ASHRAE ethics policy is light and unclear when

ATTACHMENT A

preserving the rights and remedies for the “accused.” The rights of ASHRAE members when accused of an ethics violation must be protected; these members must be given “due process; and presumed innocent until proven guilty, and their privacy protected by all reasonable means and methods available. These ethics complaints can be unsubstantiated verbal accusations and some may be valid substantiated oral or written complaints. Under the current ASHRAE policy, members accused of “ethics violations” can be treated poorly, through an open-ended process, and the complaints may never come to a resolution. These proposed changes will better protect the rights of all parties.

Fiscal Impact: None.

Vote: 10-0-2 (chair not voting)

**REPORT TO THE BOARD OF DIRECTORS
From Ethics Enforcement Procedures Task Group
As of 2018.06.24**

Recommendations for Board Approval:

- Approve the Ethics Enforcement Procedures Task Group changes to the ASHRAE Rules of the Board incorporating the changes to Ethics Enforcement that add a balanced and transparent process that is fair to all involved. The changes are contained in the attached documents:
 - a. Attachment A-Vol 1 recommended changes.docx
 - b. Attachment B-Vol 2 recommended changes.docx
 - c. Attachment C-Vol 3.recommended changes.docx

An Ethics Enforcement Policy flow chart is attached on the next page of this report.

Fiscal Impact:

Ethics tribunals have had to hold face-to-face meetings in two of the last five years so the impact will vary greatly from year to year. The estimate of fiscal impact is an increase of \$10,000 over a five year period or \$2000 per year.

Background:

Based on a recommendation from the Ethics Tribunal, President Bjarne Olesen appointed a Task Group to review and recommend changes to ROB 3.980 Enforcement Procedures for Violation of the ASHRAE Code of Ethics.

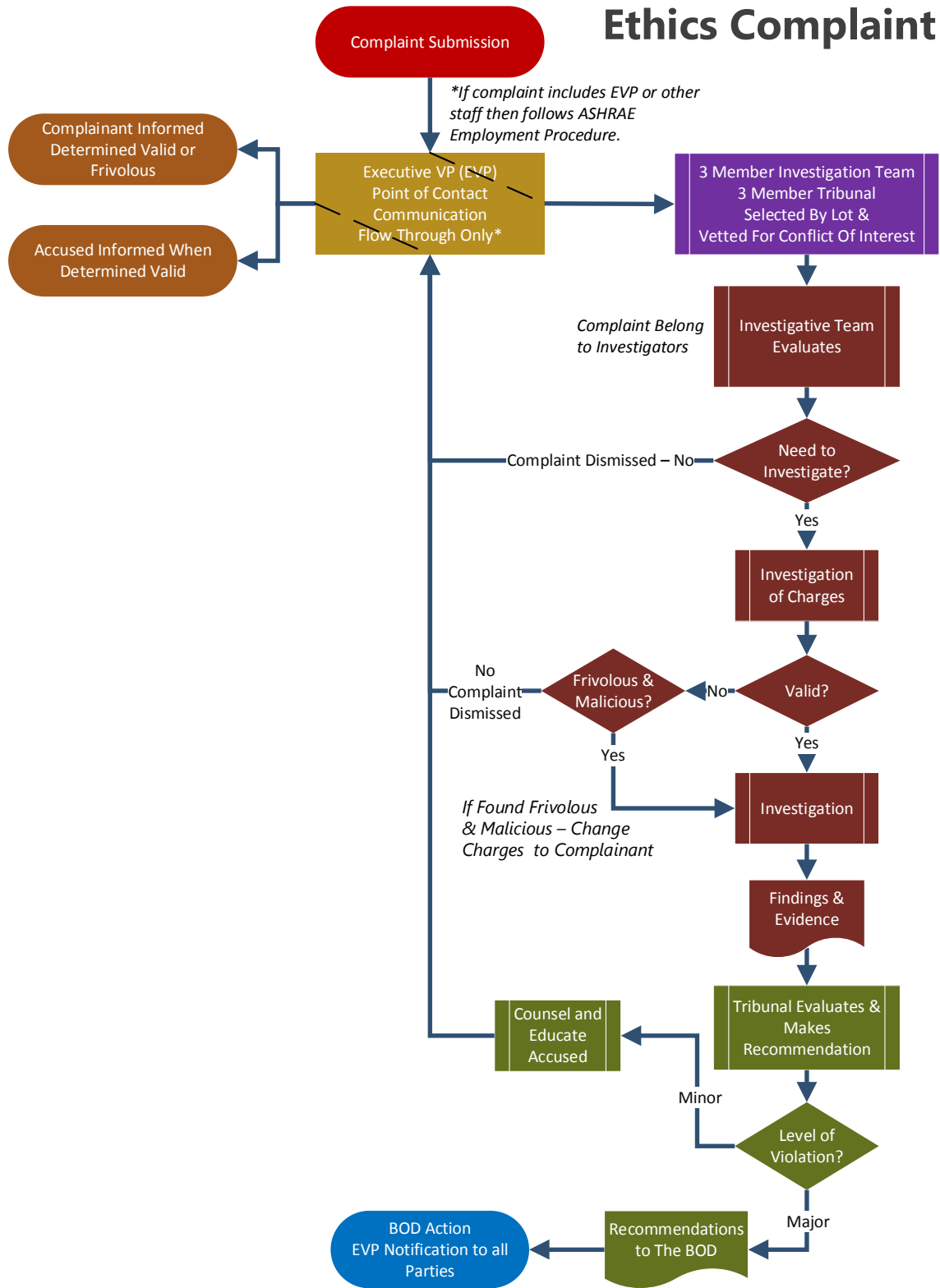
The Ethics Enforcement Procedures Task Group was charged to:

- Address procedures for Ethics allegations against Officers and or BOD Members.
- Consider making the review more independent from ASHRAE leadership.
- The changes to the ROB will implement the concepts recommended by the Ethics Enforcement Procedures Task Group:
 - d. Balance enforcing ethics violations & rights of accused
 - e. Clear and understandable by average member
 - f. Impartial process
 - g. Presumption of innocence
 - h. BOD retains final approval but independent panel investigates and makes recommendation
 - i. Progressive disciplinary process based on offense & history
 - j. Records retained by ASHRAE Human Resources Dept based on severity of the offense – available only to investigators and tribunals
 - k. No Changes to By-laws

The Ethics Enforcement Policy Task Group determined that in addition to ROB 3.980, additional changes were also needed to ROB Volumes 1, 2 and 3. The proposed changes to the Rules of the Board, Volumes 1, 2 & 3 were made with input from the Society Rules Committee. All of the proposed changes were approved by the Society Rules Committee.

2018.06.24
Date

Thomas E. Watson
Chair



Attachment A

NOTE: ~~Strike throughs~~ shows deleted words and underline shows added words

1.140 CODE OF ETHICS

(74-06-23-28/86-06-22-23/07-01-31-16/13-01-30-61)

1.140.001 ~~CODE OF ETHICS~~ Ethical Conduct

Commented [TEW1]: Revise to avoid confusion with 1.140

1.140.001.1 As members of ASHRAE or participants in ASHRAE activities, we pledge to act with honesty, fairness, courtesy, competence, integrity and respect for others in our conduct. We will avoid conflicts of interest, and behavior that is discriminatory and/or harassing.

- A. Efforts of the Society, its members, and its bodies shall be directed at all times to enhancing the public health, safety and welfare.
- B. Members and organized bodies of the Society shall be good stewards of the world's resources while considering the environmental, financial and human/societal impacts of their actions.
- C. Our products ,services and advice shall be offered only in areas where we have competence and expertise.
- D. We shall act with care and competence in all activities, using and developing up to date knowledge and skills.
- E. We shall avoid real or perceived conflicts of interest whenever possible, and disclose them to affected parties when they do exist.
- F. The confidentiality of business affairs, proprietary information, intellectual property, procedures, and restricted Society discussions and materials shall be respected.
- G. Each member is expected to be committed to the ASHRAE Code of Ethics in his or her own professional activities .
- H. Activities crossing national and cultural boundaries shall respect the ethical codes of the seat of the principal activity.
- I. Lack of adherence to the confidentiality requirements of "Executive Sessions" is an ethical violation.

J. Seeking ethical sanctions against another ASHRAE member in a frivolous or malicious manner is an ethical violation.

K. Making unfounded malicious statements that are derogatory to a fellow member, staff or the Society is an ethical violation.

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L. Complaint Procedure

Any member who believes that he or she has witnessed or has been subjected to unethical conduct or other violation of this policy should immediately report the matter in accordance with the procedures identified in the ASHRAE Discrimination and Harassment Policy (ROB 1.201.032) and/or the ASHRAE Whistleblower Policy (ROB 1.201.040). ASHRAE will promptly and thoroughly investigate the report and take corrective action, if appropriate. Allegations involving alleged conduct by ASHRAE employees will be investigated in accordance with ASHRAE's internal human resources policies and procedures. Allegations involving alleged conduct by ASHRAE members will be investigated in accordance with the ROB 3.980 -Enforcement Procedures for Alleged Violations of the ASHRAE Code of Ethics (the "Enforcement Procedures"). Any member found to have violated this policy will be subject to disciplinary action, up to and including expulsion from membership in accordance with the Enforcement Procedures and ASHRAE's Bylaws. ASHRAE Members that are "Covered Persons" as defined by the ASHRAE

Conflict of Interest Policy are required to disclose are required to disclose conflicts of interest following the procedures identified in the ASHRAE Conflict of Interest Policy (ROB 1.201.007). Failure to disclose a conflict of interest by a Covered Person is an ethical violation subject to the Ethics Enforcement procedures.

1.200 POLICIES

1.200.001 Assignment of Policies (08-06-25-29/09-01-28-25/10-01-27-01)

Each of the following policies of the Board is assigned to a council, standing committee or other body of the Society as the cognizant committee for the purposes of (1) periodic review and (2) recommendation of interpretations and/or revisions to the Board of Directors.

1.200.002 Table of Cognizant Committees (08-06-25-29/08-06-25-13)

ROB Number	ROB Policy	Cognizant Committee
1.201.001	Planning Policy	Planning Committee
1.201.002	Units Policy	Pub Ed Council
1.201.003	Policy on Use of ASHRAE Standards in Building Codes and Other Regulations	Standards Committee
1.201.004	Policy and Definitions of ASHRAE Standards and Related Documents	Standards Committee
1.201.005	Health Impacts of ASHRAE Standards	Environmental Health Committee
1.201.006	Health and Safety Impacts of ASHRAE Publications	Environmental Health Committee
<u>1.201.007</u>	<u>Conflict of Interest Policy</u>	<u>Executive Committee</u>
1.201.008	ASHRAE Policy on Standards and Guidelines that Address Smoking Spaces	Technology Council
1.201.009	Commercialism Policy	Pub Ed Council
1.201.010	Web Site Policies	Electronic Communications Committee
1.201.011	List Server Rules	Electronic Communications Committee
1.201.012	Building Sustainability Policy	Technology Council
1.201.013	Pricing Policy	Pub Ed Council with assistance from Publications Committee
1.201.014	Advertising Policy	Pub Ed Council with assistance from Publications Committee
1.201.015	Disk Copyright	Pub Ed Council with assistance from Publications Committee
1.201.016	Disclaimers	Pub Ed Council
1.201.017	Reprint and Translation Policy	Pub Ed Council
1.201.018	Confidential Research Projects	Research Administration Committee
1.201.019	Policy for ASHRAE Special Projects	Technology Council
1.201.020	ASHRAE Canada Office	Members Council
1.201.021	Security and Privacy Policy	Members Council
1.201.022	Contact Data Availability Policy	Members Council
1.201.023	Investment Policy	Finance Committee
1.201.024	Policy for the Use of the Golden Circle Logo	Research Promotion Committee
1.201.025	Business Card Policy	Members Council
1.201.026	Policy on Renting ASHRAE Membership Lists to Other Organizations	Members Council
1.201.027	Travel Reimbursement Policy	Finance Committee
1.201.028	Indemnification Resolution	Finance Committee

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1.201.029	Policy on Computer Algorithms and Programs	Electronic Communications Committee
1.201.030	Growth and Development Policy	Members Council
1.201.031	Smoking Policy	Conferences and Expos Committee
<u>1.201.032</u>	<u>Discrimination and Harassment Policy</u>	<u>Executive Committee</u>
1.201.033	ASHRAE Fellow Recognition	Members Council
1.201.034	International Policy for Standards	Standards Committee
1.201.035	Policy on Membership Admissions and Grade Advancement	Members Council
1.201.036	Policy on ASHRAE Spokesperson	Executive Committee
1.201.037	Policy on Promotion of Grassroots Advocacy Programs	Grassroots Government Advocacy Committee
1.201.038	Policy on ASHRAE Endorsement of Other Organizations' Certification Programs	Executive Committee
1.201.039	Policy on Use of "Standard" or "Guideline" in ASHRAE Document Titles	Standards Committee
1.201.040	Whistleblower Policy	<u>Finance Executive Committee</u>

Commented [TEW3]: Was placeholder

Commented [TEW4]: Recommended by SRC

1.201.007 Conflict of Interest Policy (93-01-27-22/01-02-01-94/08-06-25-15A/14-07-02-9)

This Conflict of Interest Policy (the "Policy") of the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. ("ASHRAE") has been adopted by its Board of Directors (the "Board") and is applicable to all Covered Persons (as defined below). This Policy is intended, among other things, to assist ASHRAE and Covered Persons in compliance with laws applicable to tax-exempt organizations and with the New York not-for-profit corporation law, and it shall be interpreted consistent with such purposes.

1.201.007.1 Purpose and Overview

- A. All directors, officers and staff owe a duty of loyalty to ASHRAE. The duty of loyalty requires that they exercise their powers in good faith and in the best interests of the organization, rather than in their own interests or the interests of another entity or person.
- B. Conflicts between the interests of ASHRAE and the personal or financial interests of a Covered Person may arise from time to time. Some conflicts of interest are illegal or may subject ASHRAE or its directors, officers or employees to liability. Some conflicts of interest may not be illegal, but may be unethical or may create an appearance of impropriety. Some conflicts of interest may ~~be in the best interests of~~ not be harmful to ASHRAE interests as long as certain procedures are followed. This Policy is designed to assist directors, officers and employees of ASHRAE, as well as others affiliated with ASHRAE, with identifying conflicts of interest and handling them appropriately.
- C. Neither ASHRAE nor any Covered Person shall enter into any transaction or arrangement that involves an actual, potential, or apparent conflict of interest except in compliance with this Policy.

1.201.007.2. Definitions

A "Covered Person" includes each of ASHRAE's current and former (within the last five years) (i) directors, (ii) officers and (iii) employees, volunteers, independent contractors, substantial contributors and others who have the ability to exercise substantial influence over the affairs of ASHRAE. For purposes of this Policy, whether an individual has the ability to exercise substantial influence over the affairs of ASHRAE shall be determined in accordance with the intermediate sanctions provisions of Section 4958 of the Internal Revenue Code of 1986 and related regulations.

B. A "conflict of interest" arises whenever (i) the interests of ASHRAE come into conflict with a competing financial or personal interest of a Covered Person or an affiliated party (as defined below) or (ii) a Covered Person's personal or financial interest could be reasonably viewed as affecting the Covered Person's objectivity or independence in fulfilling his or her duties to ASHRAE. While it is not possible to anticipate all possible conflict situations, a conflict of interest typically arises whenever a Covered Person or any affiliated party has (directly or indirectly):

1. A compensation arrangement or other interest in a transaction with ASHRAE compensation arrangement or other interest in a transaction with ASHRAE;
 2. A compensation arrangement with, other interest in, or affiliation with any entity or individual that or who: (a) sells goods or services to, or purchases goods or services from, ASHRAE; (b) competes with ASHRAE; or (c) is negotiating, or contemplating negotiating, any transaction or arrangement with ASHRAE;
 3. Used his or her position, or confidential information or the assets of ASHRAE, to his or her (or an affiliated party's) personal advantage or for an improper or illegal purpose;
 4. Solicited or accepted any gift, entertainment or other favor where such gift, entertainment or other favor might create the appearance of influence on the Covered Person (other than gifts of nominal value, which are clearly tokens of respect and friendship unrelated to any particular transaction);
 5. Acquired any property or other rights in which ASHRAE has, or the Covered Person knows or has reason to believe at the time of acquisition that ASHRAE is likely to have, an interest;
- ue Briefs.

ATTACHMENT B

Note: only additions to Volume 2 were made . No text was deleted

2.433 Ethics Review Board

2.433.001 SCOPE AND PURPOSE

This Ethics Review Board (ERB) is responsible for investigating complaints about violations of the ASHRAE Code of Ethics, deciding whether the complaints are valid, and, when appropriate, recommending enforcement or disciplinary actions in response to confirmed violations of the ASHRAE Code Ethics to the Board of Directors (BOD) commensurate with the violation(s) encountered. The ERB shall establish an Investigative Panel (IP), consisting of a subset of ERB members, to investigate and adjudicate each individual complaint or alleged violation. If the IP determines that a violation has occurred, the ERB shall establish a Tribunal to recommend actions to be taken.

2.433.002 Membership

2.433.002.1 Composition

Members of the ERB shall be as follows:

- A. There shall be two (2) Ethics Review Board members and one (1) alternate selected from each region of the Society, elected annually by the Chapters Regional Committee (Delegates, Alternate Delegates and Regional Leaders (less the Director and Regional Chair) in Executive Session) from each region.
- B. The Chair and Vice Chair of the ERB shall be selected as described in section 2.433.003 C and D.
- C. ERB members shall be a pool from which Investigative Panel and Tribunal members are selected.
- D. No current Member of the Board of Directors shall be eligible to serve on the ERB.
- E. Members of each Investigative Panel and of each Tribunal shall be selected randomly from the ERB, as a group of three (3) members, to conduct their investigation (Panel) or to render judgment in cases of confirmed violations (Tribunal). Each Panel or Tribunal shall elect a chair from among their membership.
- F. The size of the Investigative Panel may be increased in size based upon a request of the Chair of the Panel.

2.433.002.2 Qualifications

- A. All members of the Ethics Review Board shall be current members of ASHRAE in good standing with a minimum of ten (10) years of continuous membership.
- B. Members shall have had no previous ethics disciplinary actions rendered against them and have no current open ethics investigations against them.

2.433.002.3 Term of Service

- A. Members and Alternates shall be elected annually for a single year of service and can be re-elected annually up to no more than eight (8) years of continuous service as a member or as an alternate.
- B. An alternate who has participated in processing a complaint (i.e., served on an Investigative Panel or on a Tribunal) is considered to have served one full year as a member of the Ethics Review Board.
- C. Interruption in service of two (2) or more years would allow a qualified individual to return to duty as an Ethics Review Board member or alternate for another eight (8) years of continuous service.

2.433.003 OPERATION

- A. If travel is required for an investigation by an Investigative Panel or for a Tribunal to deliberate or to report its findings and recommendations to the BOD, then travel expenses will be reimbursed to Panel or Tribunal members upon request in accordance with the current ASHRAE travel reimbursement policy. It is not anticipated that Ethics Review Board members and alternates will need to travel to participate in Ethics Review Board activities other than those associated with an investigation and subsequent activity by a Tribunal.
- B. Investigative Panel or Tribunal members should generally not be from the region in which the alleged ethics violator is from and shall not have any conflict of interest with the case to be investigated or in which punishment is to be recommended.
- C. At the beginning of each year the ERB shall select a chair and vice chair from its membership. This chair and vice chair shall then become the chair and vice chair to represent the ERB for the remainder of that society year and into the next year until a new Chair and Vice Chair are elected.
- D. The ERB shall report directly to the BOD and shall communicate to the BOD as required. The designated chair, or vice chair when the chair is not available, of the Ethics Review Board shall generally report to the BOD in executive session at the winter and annual meetings on Ethics Review Board activity since the last meeting where a report was made. Interim reports may be made when requested by the Board or when circumstances dictate a more frequent need to report to the BOD.
- E. The ERB shall maintain a Manual of Procedures (MOP) that specifies in detail the procedures for investigating and adjudicating reported violations, making recommendations to the BOD on what actions should be taken, and appropriate reporting to law enforcement or regulatory organizations. The MOP shall be consistent with ROB 3.980. The MOP shall also cover requirements for keeping information confidential during and after investigations; such information includes the identities of complainants and of alleged violators of the Code of Ethics. ASHRAE's legal counsel shall review the ERB's MOP. ASHRAE's BOD shall have the responsibility for approving the ERB MOP.

Attachment C

NOTE: ~~Strike throughs~~ shows deleted words and underline shows added words

3.980 Enforcement Procedures for Violation of the ASHRAE Code of Ethics

(07-01-31-17)

3.980.001 Every member and body of the Society is responsible for upholding, supporting and enforcing the Code of Ethics. It is the preference of the Society to resolve ethical issues ~~on an informal basis~~ in a collaborative, non-confrontational manner before a complaint is made.

~~Where the informal process~~ Where such a less formal process is not appropriate or does not produce a satisfactory result, any member or body may initiate a formal written complaint requesting that the ~~Board of Directors (BOD)~~ ERB (Ethics Review Board), investigate a breach of ethics by a member or body. ~~The complaint should be forwarded in a confidential letter to the Board of Directors. A formal Complaint using the Ethics Complaint Form shall be forwarded to the ERB in care of the EVP (executive vice-president and chief staff officer).~~ (EVP). The complaint shall clearly identify the complainant and ~~be in the form of a notarized affidavit,~~ must be signed by a member of ASHRAE in good standing who is filing the ~~complaint. The complaint's submittal, details, and parties involved shall be kept confidential by the ERB.~~ If the complaint involves a member of the ~~BOD or ERB,~~ ERB, that person shall be recused from all deliberations and actions concerning the ~~complaint.~~ complaint. Complaints filed against the EVP or other ASHRAE staff members shall be referred to the ASHRAE Manager of Human Resources.

3.980.002 The complaint statement of allegations should include:

3.980.002.1 The name and address of the member or body whose conduct is the subject of the complaint.

3.980.002.2 A statement which sets forth with specificity the alleged conduct of the member or body whose conduct is the subject of the complaint. The statement should describe any efforts made to resolve the ethical issue on an informal basis, or state reasons why informal efforts were not taken. Specifics that shall be included as a minimum are the dates, times, event details (seminar, technical, business, social, committee, communications (e-mail, webinar, telephone, memorandum), etc.), context of circumstances surrounding event, any previous contact(s) made, any subsequent contact(s) made, history of contact or relationship between the accused and complainant, any political or religious issues involved, alcoholic beverages being consumed or served, etc.

3.980.002.3 The specific provisions of the Code of Ethics which the conduct is alleged to have violated.

3.980.002.4 The names and addresses of persons believed to have direct, first-hand, and relevant knowledge pertaining to the subject of the complaint. In addition, names of the persons (if any) that assisted the complainant to write the formal complaint shall be disclosed.

3.980.002.5 The identification and location of documentation or materials upon which the complaint is based.

3.980.002.6 A statement from the member submitting the complaint pledging full confidentiality until such time as the formal investigation is completed and declaring that they will be present at any hearing at which the complaint is being considered if so requested by the deliberating body.

3.980.003 No complaint shall be considered if based on conduct more than ~~two~~ two-five years prior to the complaint or more than two years after the complainant would have reasonably been made aware of the activity forming the subject of the complaint.

3.980.004 The EVP shall acknowledge receipt of the complaint within ~~a reasonable period~~two weeks of receipt. Copies of the complaint shall be distributed only to members of the ASHRAE ~~Executive Committee (ExCom) and to ASHRAE legal counsel.~~ to the ERB selected to investigate and evaluate the complaint (ROB 3.980.005 – 3.980.006). The member or body that is the subject of the complaint shall be given the legal definition of “due process” and shall be presumed, and treated as innocent until proven or adjudicated guilty by the process. The EVP shall log and keep record of all complaints, the ERB members selected to serve on any Investigative Panel or Tribunal formed and the final resolution of each complaint.

3.980.005 — ExCom shall review the complaint and conduct a preliminary investigation. During this investigation, the names of the complainant and the subject of the complaint will be undisclosed to the extent possible. ExCom will decide to terminate the complaint or present the complaint to the BOD for consideration. If terminated, the complainant and the subject of the complaint will be notified in writing by the EVP, with a complete explanation of ExCom's action.

3.980.005 The Ethics Review Board (ERB) shall consist of 2 members and an alternate from each Region per ROB 2.433. The Ethics Review Board shall report directly to the ASHRAE Board of Directors. To investigate and evaluate ethics-related complaints or issues, at least three (3) members of the ERB shall be selected by lot as an Investigative Panel and, if needed, three (3) other members of ERB shall be selected by lot to form a Tribunal. The selection for Investigative Panel or Tribunal shall exclude any member named in the allegations, Members from the same region of those being charged, member from the region of those making the allegations or any members with any other conflict of interest regarding the complaint. ERB members on the Investigative Panel shall not serve on the Tribunal for same complaint. If the breadth of the group for the complainant or the alleged violating party is so large as to not allow the exclusion of members from the same region, then they will be allowed as long as they are the not subject of or witness to the allegations or have other conflicts of interest with the parties represented. The EVP shall consult with ASHRAE legal counsel if there are questions about whether a conflict of interest exists for specific ERB members or staff.

3.980.006 — ExCom may terminate the complaint investigation process at any time if there is any disclosure of the complaint or its contents by the complainant prior to the complaint being referred to the BOD, if the complainant fails to respond to a written request for further information within sixty days, or if the complainant has initiated legal proceedings based on the same or related circumstances underlying the complaint.

3.980.006 The Members Council Regional Planning Subcommittee Chair will maintain the pool roster, assigning a number to each person, and provide only the numbers of eligible Ethics Review Board (ERB) pool candidates to the Members Council Regional Operations Chair to conduct the selection by lot. Once the Investigative Panel is formed, the responsibility for pursuing the complaint rests with the Panel, not the complainant. The Investigative Panel will conduct a preliminary investigation. The Panel is encouraged to consult with ASHRAE's legal counsel for any questions about the methods or contacts to be employed in the investigation. During this investigation, the names of the complainant and the subject of the complaint will be kept confidential inside the Panel (i.e., to those individuals interviewed by the Investigative Panel) to the extent possible. The Investigative Panel will decide whether to terminate the complaint as unfounded, find the complaint frivolous and malicious, or find that the complaint is valid, based on their investigation.

3.980.007 — If the complaint is not terminated by ExCom, the presiding officer of the BOD may appoint a three-person tribunal to conduct a thorough investigation of the complaint. At the conclusion of the

investigation, the tribunal will schedule a confidential hearing to allow the member or body charged to respond to the charges. The respondent will be given thirty days' notice of the hearing before the tribunal or the BOD. The hearing may be in writing, electronic or face-to-face, at the option of the member or body charged. The hearing will be organized to minimize the cost and inconvenience to the complainant, respondent and members of the tribunal. The tribunal shall prepare a complete report to the BOD including a recommendation of BOD action. If the tribunal recommends that the BOD adjudicate the complaint, all deliberations shall be in executive session.

3.980.007 The Investigative Panel may, at its discretion, terminate the complaint investigation process and report doing so to the BOD at any time if there is any disclosure of the complaint or its contents by the complainant prior to the complaint being referred to the BOD, if the complainant fails to respond to a written request for further information within sixty days, or if the complainant has initiated legal proceedings based on the same or related circumstances underlying the complaint. Such unauthorized disclosure of the complaint by the complainant is in itself a violation of the ASHRAE Code of Ethics.

3.980.008 If terminated as unfounded, the Investigative Panel will forward a report to the EVP, and the complainant and the subject of the complaint will be notified in writing by the EVP, with a complete explanation of the Investigative Panel's action. The identity of the complainant shall not be disclosed to the subject of the complaint.

3.980.009 If the Investigative Panel finds the complaint frivolous and malicious, the EVP will be informed of the findings and a Tribunal will be selected by lot to evaluate the findings regarding the filer(s) of the complaint. The Investigative Panel will conduct a full detailed investigation of the filer of the allegations and their reasons to do so. Filing frivolous and malicious complaints is in and of itself an Ethics Violation and investigation will be conducted on those filing the complaint. A Tribunal shall be formed (ROB 3.980.005) and the Investigative Panel shall deliver all evidence they have collected to the Tribunal and be available to the Tribunal to answer any questions or perform further investigation.

3.980.010 If the Investigative Panel finds the complaint valid, the EVP will be informed of the findings and a Tribunal will be selected (ROB 3.908.005) to evaluate the findings and recommend appropriate actions... The Investigative Panel shall deliver all evidence they have collected to the Tribunal and be available to the Tribunal to answer any questions or perform further investigation.

3.980.011 As soon as the EVP is informed by the Investigative Panel that allegations have not been dismissed as unfounded, the EVP shall confidentially notify the accused and accusing parties that charges have been put forward, a Tribunal has been formed, and a detailed investigation is underway. The BOD will be informed of the nature of the complaint, if it was found frivolous and malicious, and that a detailed investigation is underway.

3.980.0112 The Tribunal shall schedule a confidential hearing to allow the member or body charged to respond to the charges. The respondent shall be given thirty days' notice of the hearing before the Tribunal. The hearing may be in writing, electronic or face-to-face, at the option of the member or body charged. The hearing will be organized to minimize the cost and inconvenience to the complainant, respondent and members of the Tribunal. Based on their evaluation of the evidence and testimony of involved parties, the Tribunal shall determine the level of violation and recommend action(s) to be taken. The Tribunal may choose to recommend dismissal of the allegations as unfounded, counsel and educate the accused for a minor violation, recommend more severe action, or recommend other actions it deems appropriate. The Tribunal's disposition of the complaint shall be in the form of a complete report to the BOD, with recommendations for action. All deliberations of the Tribunal shall be in executive session.

3.980.013 The BOD shall consider the Tribunal's report and recommended actions. The BOD may also request additional information from members of the Tribunal, the Investigative Panel, or other involved parties, consistent with advice from ASHRAE's legal counsel. By a simple majority of voting members, the BOD shall determine the actions to be taken in response to the complaint. The BOD may

censure, warn, suspend or expel a member or members if they are found to have violated the Code of Ethics. Any action against members will be governed by the provisions for discipline in the Society Bylaws. All deliberations of the BOD shall be in executive session.

Commented [TEW1]: Wording is in current ROB 3.980.008

3.980.014 A copy of all ethics violation documentation will be held confidentially by the ASHRAE Human Resources Department. The records shall be available for review by future Investigative Panels and Ethics Tribunals, as well as by the BOD, for evaluating any future complaints involving the same member. The ASHRAE HR Department shall prepare a summary of the infraction and actions taken, with identities of participants removed; this shall be made available to future ERBs and BOD investigating or deliberating about similar infractions, in order to familiarize ERB and BOD with relevant precedent. As future ethics complaints are made, the EVP or, if the EVP has a conflict of interest or other involvement, the ASHRAE HR manager shall notify the ERB that there it has a report of a relevant/related ethics violation.



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Thomas E. Werkema, Jr.
Chair, Technology Council

Date: March 3, 2014
To: Joyce Abrams, Director of Member Services
From: Tom Werkema, Technology Council Chair
Subject: Members Council Referral to Technology Council from October 2013

During the Members Council meeting in October 2013, Members Council referred the motion below to Technology Council for consideration.

Region XII (Columbia Chapter) – Motion 7B (10/5-6/2013):

That Society publish weather design data information and weather data bins for 50 additional representative cities of varying elevations in Central, South America and Caribbean Area within the next two years starting July 2014 for publication into the Fundamentals weather data tables.

Background: Currently published weather data for the Central and South America and Caribbean region is not representative of the actual weather design conditions in the area and lack of information does not permit accurate Energy Simulations for green building projects and perform life cycle cost analysis.

Proper energy models are required for sustainable construction including programs like ASHRAE's bEQ and the LEED certification process.

Note: Chapter was advised that this motion has been sent to Members Council before (twice), and the answer was sent back that Society (via TechC) agreed to receive and publish credible weather data if the chapter would send it to the Standards Project Committee, to date, it has not been done.

Fiscal Impact: Cost of new data entry and publication in handbook.

Excerpt from draft Members Council Minutes: "There was concern that the chapter has requested this information more than once. The motion was originally referred to Technology Council via TC 4.2 making a request to the Colombia Chapter to supply them with the weather data sources. Mr. Aguilo explained that the chapter does not have this information and that the TC should be able to provide the data to the chapter or advise them where to find it."

Response: TC 4.2 and SSPC 169 developed and posted the FAQ response below on their website (<http://tc42.ashraetcs.org/faq.html#7>) back in 2011 in response to these types of requests.

Both committees are more than willing to help this region, but they cannot create the raw climatic data that is needed to be able to add these locations to the handbook and standard. Most of the raw climatic data that is used by ASHRAE now comes from the [National Climatic Data Center \(NCDC\)](#) in Asheville NC and they currently don't have this data for this region of the world.

The chapters from this region would be better served to poll their local governments, universities, and other entities to locate all the current weather stations in their area and arrange for the release of multi-year archived data. In the U.S., you can go to a site like Weather Underground (<http://www.wunderground.com/>) for this type of information. If you enter a zip code, it lists near the bottom of the page all the public and private weather stations in that area. In parallel, they should investigate also what it would take to add suitable weather stations to their area. The station at the ASHRAE HQ building was less than \$10,000 and it collects much more data than what is required below. If such action was taken back in 2011, we would be three years closer now to having the required 8 year minimum length of raw data.

The previous response from TC 4.2 and SSPC 169 to this type of referral still applies:-

TAC and TC 4.2 believe that the subject of this referral has already been addressed in a previous referral from the Columbia Chapter on weather data and they are willing to work with the Columbia Chapter if they come forward with new weather data sources as suggested in a FAQ that the TC developed in response to the earlier referral. **No additional effort can be taken without new data sources.**

Technology Council considers its response complete at this time.

CC: Tom Phoenix, Chair, Members Council
David Underwood, Vice Chair, Members Council
Bjarne Olesen, Vice Chair, Technology Council
Kay Thrasher, OPS Chair
Walter Grondzik, TAC Chair
Claire Ramspeck, DOT
Mike Vaughn, MORTS