

PHOTOGRAPHIC SOCIETY OF AMERICA

ETHICS POLICY

1 PURPOSE

The Photographic Society of America (“PSA”) is a world-wide organization providing abundant resources for photographers, and a key element of its mission is to foster ethical conduct in all aspects of photographic endeavor. Accordingly, PSA adopts this Ethics Policy (“Policy”) in order to:

- (a) promote ethical conduct among PSA Constituents and Participants (each as defined below);
- (b) set forth PSA’s Ethical Values and Prohibited Conduct (each as defined below);
- (c) protect PSA and all persons affected by PSA Activities (defined below); and
- (d) ensure accountability for adherence to this Policy.

PSA acknowledges that no policy can possibly identify every behavior that would be deemed unethical. However, in this Policy, PSA identifies the values it upholds and the conduct it prohibits in order to provide guidance and promote transparency in matters of ethics.

2 APPLICABILITY

This Policy applies to all PSA directors, officers, employees, members, volunteers, consultants, and contractors (collectively, “Constituents”) as well as all participants, whether they are PSA Constituents or not (“Participants”), in PSA’s operations, activities, and events, including but not limited to exhibitions, competitions, festivals, galleries, youth programs, print or online journal presentations, applications for ratings, honors, or awards, and any other presentation, submission, or display associated with PSA (collectively, “PSA Activities”).

Constituents and Participants are expected to comply with the letter and spirit of this Policy. Each Constituent and Participant shall have the responsibility to read, understand, and adhere to this Policy and to participate in PSA Activities in a manner that not only upholds the Ethical Values set forth below, but also avoids the Prohibited Conduct set forth below. PSA reserves the right to take appropriate action, up to and including legal action, in case of a breach of this Policy.

3 ETHICAL VALUES

In connection with participation in all PSA Activities, PSA expects its Constituents and Participants to adhere to and abide by the following three values (“Ethical Values”):

- a) **Honesty.** To act honestly in all communications, submissions, and duties;
- b) **Respect.** To respect the rights and safety of all persons, animals, and the environment; and
- c) **Fairness.** To fully comply with all PSA rules and restrictions, as well as applicable law.

4 PROHIBITED CONDUCT

In keeping with PSA’s Ethical Values, all Constituents and Participants shall refrain from engaging in any of the following behaviors, each of which is considered Prohibited Conduct:

- a) **Dishonest Behavior.** Engaging in dishonest or deceitful conduct, including but not limited to the following, in connection with PSA Activities:

- i. Providing false or misleading information to PSA, Constituents, or Participants in connection with any PSA Activities;
 - ii. Acting or purporting to act on behalf of PSA, Constituents, or Participants without authorization; and
 - iii. Concealing known violations of this Policy or refusing to cooperate with any investigations undertaken hereunder.
- b) **Disrespectful and Harmful Behavior.** Engaging in disrespectful and harmful conduct, including but not limited to the following, in connection with PSA Activities:
- i. Harassment, defined as any conduct that involves unwelcome or persistently offensive, denigrating, or hostile behavior that is directed toward another person or group based on gender, race, ethnicity, national origin, religion, age, marital status, sexual orientation, gender expression, disability status, physical appearance, socioeconomic level, or other protected status.
 - ii. Sexual harassment, defined as any unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors or dates, remarks about an individual's physical appearance, comments of a sexual nature, or other verbal or physical harassment of a sexual nature.
 - iii. Discriminatory Practices, defined as actions, decisions, or treatment that unjustly differentiate individuals or groups based on their inherent or acquired characteristics. This includes, but is not limited to, denying opportunities, access to services, or fair treatment due to someone's gender, race, ethnicity, national origin, religion, age, marital status, sexual orientation, gender expression, disability status, physical appearance, socioeconomic level, or any other characteristic protected by law. Discriminatory practices undermine the principles of equity and inclusion PSA is committed to upholding.
 - iv. Animal cruelty, such as baiting of live animals for creation of photographs; and
 - v. Offensive behavior, such as abusive or otherwise inappropriate comments made to or about PSA, Constituents, Participants, or any other person.
- c) **Unfair Behavior.** Engaging in unfair or illegal conduct, including but not limited to the following, in connection with PSA Activities:
- i. Manipulating images or otherwise using technology in connection with PSA Activities in a manner that contradicts applicable PSA rules, regulations, or definitions;
 - ii. Infringing on copyrights, intellectual property rights, or other legal rights of PSA, other Constituents or Participants, or any other person;
 - iii. Acting in a manner that compromises PSA standards or that creates unfair outcomes with respect to any PSA Activities.

5 ETHICS COMMITTEE

The Ethics Committee is a committee of the PSA Board of Directors with corporate authority to act on behalf of PSA in connection with this Policy. The Ethics Committee shall be responsible for the interpretation, implementation, administration, and maintenance of this Policy, including revising or updating this Policy from time to time in its sole discretion. Regarding potential violations, the Ethics Committee shall receive reports of ethical violations, investigate such reports, and issue penalties and or sanctions for any confirmed violations. The Ethics Committee shall have full

discretion in all such matters, and the decisions of the Ethics Committee shall be final, pending any appeals, which shall be considered by the Ethics Committee in its sole discretion.

6 ETHICS COMMITTEE REVIEW PROCESS

6.1 Reporting Prohibited Conduct

Any Constituent or Participant who experiences or witnesses a Constituent or Participant engaging in Prohibited Conduct must report such Conduct to the Ethics Committee by filling out an online form, available on PSA's website. PSA will review reports received from any person, but only if submitted as set forth in this Section 4. PSA encourages individuals to submit reports of Prohibited Conduct as near in time as possible to the occurrence of the Prohibited Conduct.

6.2 Investigating Reported Prohibited Conduct

Following receipt of a report of Prohibited Conduct, the Ethics Committee will investigate the purported violation by the methods it deems appropriate and to the extent it deems necessary in its sole discretion. As part of its investigation, the Ethics Committee may contact the person alleged to have committed the violation or the person who reported the alleged violation. All Constituents and Participants are expected to cooperate in any such investigation of misconduct.

6.3 Penalties for Prohibited Conduct

If after investigation the Ethics Committee determines that there has been a violation of this Policy, the Ethics Committee will take such preventative or disciplinary action as it deems necessary or appropriate in its sole discretion, up to and including legal action, cancellation of a Constituent's office, membership, or employment, cancellation of previous honors or awards, or disqualification or removal of a Constituent or Participant from any current or future PSA Activities.

6.4 Communication of Ethics Committee Determination

After the Ethics Committee makes a determination that this Policy has been violated, the Ethics Committee shall make a good faith effort to communicate such determination and any resulting disciplinary action to the following:

- (a) the person alleged to have committed the violation;
- (b) the person who reported the violation;
- (c) the PSA Board of Directors;
- (d) those PSA officials who need to know for purposes of enforcement of the disciplinary action rendered by the Ethics Committee; and
- (e) the Federation Internationale de l'Art Photographique (FIAP), or other national or international photographic organization, when the disciplinary action prevents or limits an individual's participation in exhibitions.

The disciplinary action will also be noted in PSA's records and associated with the particular Constituent or Participant who violated this Policy.

6.5 Prohibition on Retaliation

PSA will not tolerate acts of retaliation against any Constituent or Participant who makes a good faith report of known or suspected violations of this Policy.

7 APPEAL PROCESS

Persons notified of a penalty being imposed by the Ethics Committee will have a right of appeal if such person has evidence that was not previously submitted demonstrating that there was no sound basis for the allegation of an ethics violation. That appeal must be submitted to the Ethics Committee within 30 days of the receipt of notification of the Ethics Committee's determination. The Ethics Committee will have full discretion in determining whether to consider an appeal and, if it decides the appeal is warranted, in evaluating the appeal's merits. If the Ethics Committee determines that its finding of an ethics violation was incorrect, the Ethics Committee shall take such action as it deems appropriate to redress any disciplinary action taken as a result of its previous finding. This may include reinstatement of a Constituent's or Participant's privileges with respect to PSA and PSA Activities, as well as provision of notice to those persons and entities identified in Section 6.4 above.

8 CONFIDENTIALITY

8.1 Confidential Information

"Confidential Information" means all non-public, proprietary, or confidential information relating to reports of ethics violations, all Ethics Committee deliberations, notes, analyses, reports, and investigation results, nonpublic Constituent information, nonpublic Participant information, trade secrets or patents, PSA proprietary information, as well as other materials prepared by the Ethics Committee that contain, are based on, or otherwise reflect any of the foregoing; provided, however, that Confidential Information does not include any information that is or becomes generally available to the public other than as a result of an act or omission by the Ethics Committee.

8.2 Use of Confidential Information

In connection with an investigation of a violation of this Policy, the Ethics Committee may receive access to Confidential Information. The Ethics Committee shall use such Confidential Information solely for purposes of the investigation and shall not disclose or permit access to Confidential Information other than to other Ethics Committee members, the PSA Board of Directors, PSA's legal counsel, or as required by a valid legal order. The Ethics Committee shall safeguard the Confidential Information from unauthorized use, access, or disclosure using a reasonable degree of care.