



*Automotive Service Councils of California*

*Professionals in Automotive Service ~ Since 1940*

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## **Proposed New Sections to Article IV: Membership 4-03. Discipline & 4-04. Termination**

### **Purpose and Rationale**

Currently the bylaws lack a necessary provision to provide a fair process for reviewing, disciplining, and termination of a member who is found to be in violation of the associations code of ethics, code of conduct, or for failure to pay dues. The following bylaws provisions are intended to provide necessary provisions for terminating a member; regulate professional conduct of ASCCA members; and promote the ethical standard of the automotive service profession.

### **Proposed Bylaws Additions**

#### **Article IV: Membership**

**Section: 4-03. Discipline.** A member may be publicly reprimanded, suspended, or terminated for cause by the Board or its designee. Cause shall include a failure, in serious degree, to (1) observe the Association's rules of conduct as prescribed by the Board in these Bylaws or otherwise, (2) to abide in the lawful decisions of any duly constituted committee of the Association, or to engage in any conduct which is deemed by the Board or its designee contrary or prejudicial to the interests and/or purposes of the Association. The discipline shall occur only after the member has been given a fifteen-day prior written notice of the proposed discipline and the reasons therefor. The notice shall also advise the member of the member's opportunity to be heard, orally or in writing as determined by the Board or its designee, not less than five days before the effective date of the discipline by the Board or its designee. The Board or its designee shall determine whether cause exists and the appropriate discipline, if any.

The Board is not required to follow the above procedure when imposing lesser discipline such as private reprimand.

**Section: 4-04. Termination.** A membership shall be suspended or terminated whenever the Board, or a committee, or person authorized by the Board, in good faith determines that any of the following events have occurred: (a) resignation of member, on reasonable notice to the Association; (b) expiration of the period of membership, unless the membership is renewed on the renewal terms fixed by the Board; (c) failure of a member to pay dues, fees, or assessments in the amount and under the terms set by the Board; (d) occurrence of any event that renders a member ineligible for membership, or failure to satisfy membership qualifications, or (e) termination of membership under Section 4.04B. of these bylaws.