

Report of the Ethics Committee

In March of 2020, the AEA adopted Procedures Upon Receipt of Complaints Regarding Conduct of AEA Members (“Procedures”) to allow it to respond to complaints alleging violations by AEA members of the Code or the Policy. Under the Procedures, the Ethics Committee of the AEA reviews complaints and recommends to the Executive Committee first, which complaints should be investigated, and then for those complaints which are investigated, what actions, if any, should be taken based on the findings made in such an investigation.

In 2020, the Ethics Committee reviewed a number of formal complaints to make recommendations to the Executive Committee as to which complaints warrant investigation by the AEA and also engaged in the investigation of a complaint. During 2020, the Committee met numerous times, spending many hours considering and investigating complaints, and, as stated in the financial report, has invested significant financial resources to do the same. This includes resources committed to the ombudsperson, an independent outside investigator, and legal counsel.

This review of complaints has generated thoughtful dialogue among the members of the Ethics Committee concerning which of the complaints received by the AEA are best taken up for investigation and the use of AEA resources. In investigating any formal complaint, the AEA cannot compel third parties to provide information or require alleged victims to come forward. Without these tools, and clearly without the legal authority to issue subpoenas, the AEA’s ability to investigate third-party complaints of harassment is limited. Moreover, even though the AEA strives to hold all complaints received as confidential to the extent allowed by law, it is unable to guarantee complete confidentiality among those involved directly or indirectly with complaints. The Ethics Committee believes that greater transparency for AEA membership with regard to the complaint process would be beneficial. To that end, the Ethics Committee has developed the attached document describing factors that will be considered by the Ethics Committee in determining which complaints to recommend for investigation. This document was approved by the Executive Committee on April 16, 2021, and takes effect immediately.

The investigations of the Ethics Committee are necessarily confidential, and the existence and outcome of a complaint are generally not communicated to the public unless the Committee decides to sanction an AEA member, and make that sanction public. This silence by the Ethics Committee may be misconstrued by the membership. The Committee recommends that the AEA increase its efforts to better disseminate information about the many actions the AEA has taken in recent years to address discrimination and harassment in the profession.

The Ethics Committee also reviewed the Procedures themselves and made recommendations to the Executive Committee on revisions to the Procedures to benefit the work of the Committee for purposes of continuity and conflict of interest. Those recommendations were adopted on January 2, 2021.

ATTACHMENT TO REPORT OF ETHICS COMMITTEE

In recent years, the American Economic Association (“AEA”) has taken concrete action to address inequities in the field of economics and to further the goal of creating a professional environment that promotes free expression for all economists. Among these actions are the adoption of the AEA Code of Professional Conduct (“Code”) and the AEA Policy on Harassment and Discrimination (“Policy”). Through the Code and the Policy, the AEA seeks to support participation and advancement in the economics profession by individuals from all backgrounds, including particularly those who have been historically underrepresented.

In March of 2020, the AEA adopted Procedures Upon Receipt of Complaints Regarding Conduct of AEA Members (“Procedures”) to allow it to respond to complaints alleging violations by AEA members of the Code or the Policy. The AEA adopted the Procedures to provide equity in the handling of complaints and transparency to its members. Since the adoption of the Procedures, and the consideration of complaints under the Procedures, the Executive Committee has determined that it is appropriate to provide some additional guidance and transparency to its members concerning its consideration of complaints.

The Procedures depend upon AEA members initiating the process by filing a formal complaint with the AEA Secretary-Treasurer for referral to an Ethics Committee for consideration. While the AEA has an Ombudsperson who is available to counsel members, a complaint made to the Ombudsperson does not constitute notice to the AEA and will not trigger any action on the part of the AEA. The Ombudsperson, on receiving any complaint, will direct the member to the AEA Secretary-Treasurer or Board President if the member wants to make a formal complaint for the AEA’s consideration. The AEA does not consider sanctions or other punitive measures unless formal complaints are brought forward by individual members.

While not limiting the ability of the AEA to address any alleged violation of the Code or Policy, the Executive Committee provides the following as a list of considerations it has found useful in determining which of the complaints it receives should be taken up by the AEA for investigation. It is important to note that complaints will generally not be taken up unless filed by the person who directly experienced the alleged harassment, discrimination or misconduct, or filed by a bystander who directly witnessed or has other first-hand evidence (documents or emails) of the alleged harassment, discrimination or misconduct?

- Does the complaint include clear evidence, or prior findings, of misconduct?
- Does the complaint allege improper conduct at an AEA event or function, or that involves a member of the AEA Executive Committee?
- Does alleged misconduct or harassment span multiple institutions or victims?

- Does the complainant allege a substantial harm has been suffered by the complainant or victim due to the alleged violation?
- Is the alleged harassment or misconduct based on a “protected” classification identified in the Policy, that is: age, sex, gender identity and expression, race, ethnicity, national origin, religion, sexual orientation, disability, health condition, marital status, parental status, genetic information, political affiliation, professional status, and personal connections?
- Is the AEA better positioned to adjudicate the allegations in the complaint, or address the alleged harm from the alleged misconduct, than another authority or venue, such as an employer, or the judicial system?

To the extent that a complaint’s allegations result in affirmative answers to the questions above, the greater the likelihood that the Executive Committee will take up the complaint for investigation. None of the above considerations should be considered a requirement for the AEA to investigate a complaint, nor does the list above in any way compel or require the AEA to investigate any particular complaint. The AEA is interested in receiving complaints from any member who is concerned that the conduct of another AEA member is in violation of the Code or Policy and harms the inclusion and free participation goals of the AEA.

Role of the ombudsperson.

The AEA encourages members, including bystanders, to discuss potential violations of the Code and the Policy with the ombudsperson first. Although the ombudsperson is a neutral in the process, speaking with the ombudsperson can help the complainant determine the best course of action, including whether or not to file a formal complaint. The ombudsperson can also help coordinate across reports, for example, by identifying a pattern of reports against the same person.