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ICOH Good Association Practice Guideline

GAP

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Introduction

This guideline has been prepared for ICOH to facilitate its activities as an international professional association and a non-governmental organization (NGO). The guideline aims at facilitating the association activities in planning and decision making and in conduct of activities, such as good meeting practices. In many associations the operations show a wide variation and sometimes do not meet the minimum standards required by the legislation provided in various countries on associations. The ICOH regulations, Constitution and Bye-Laws are also discussed as a regulatory background of association activities. The topics covered by this guideline are determined by practical experience and needs recognized during three decades in ICOH governance. The guideline is given for the use of all members, various ICOH Governance Bodies, Officers, Board, Scientific Committees, Working Groups, Task Groups and Committees with the intention to promote the development and implementation of good association practice. A special emphasis is given to issues relevant to individual members as key actors for ICOH objectives.

This Guideline is divided into two parts:

Part I describes good association practice in general terms as it is carried out in associations in general and as it is based on association regulations in many countries, on regulations and guidance from International Organizations and NGOs, and from a number of scientific articles concerning association life.

Part II focuses on ICOH as an association taking into consideration the ICOH regulations and applying international or national regulatory principles and good association practices to ICOH in particular.

It is evident that this kind of a guideline never will be complete; it should be continuously improved, modified and updated according to the needs of the association and its membership. Thus, all comments, feed-back and proposals from users for further development of this first version are welcome.

Part I Good Association Practice in general

1. What is an Association?

1.1 Association and law

By definition, an association is a voluntary gathering of same-minded people for realising their interests together.

An association consists of people who want to achieve something together.

In all democracies people are free to organize themselves in associations, seek for membership, or refrain or resign from an association. In brief, an association is a voluntary activity of free people. Similarly, in democratic societies, an association does not require permission from authorities and an association is free to carry out its activities provided it observes the applicable laws of the Country.

The UN and several other Inter-Governmental Organizations have provided Conventions and Declarations on basic civil rights. Among the basic human rights, freedom to association and convention is spelled out. The UN Organizations pay much attention to Non-Governmental Organizations (NGOs) as important partners for implementation of their missions.

Most of the countries have legal provisions on associations. The legislation does not stipulate what an association can or should do, but it stipulates the way in which the association functions and sets minimum requirements for the governance of the association so that the applicable law is respected. Every association needs to be registered in the host country. This is important, for example, in view of several legal consequences related to taxation and a number of other activities, including financial transactions, accounting, etc. Hence even an international association shall have a national home site. Most of the national law related to associations deals with the governance, registration and financial aspects, such as accounting and taxation or exemption from taxation. (In recent years, some countries have prohibited certain types of associations, which are not considered to follow international conventions or threaten the basic rights of people or violate the constitution or other applicable law of the country).

- **By definition, an association is a voluntary gathering of same-minded people for realising their interests together.**
- **Free associations constitute a core activity of modern civil society.**
- **Associations are regulated by law for registration, governance and finances (taxation or exemptions).**

1.2 Voluntarism and collaboration – key principles of Association life

The basic idea of an association is that the free people join together voluntarily to collaborate for achievement of a common mission. Thus, an association serves a social function bringing people together. Due to this very character of an association, the

voluntary will of a member needs to be respected in every aspect of the activities. On the other hand, the principle of voluntarism implies that each member works for the collectively agreed objectives and respects the interest and opinion of other members. This needs consensus-seeking culture in discussions and in decision making. All the tasks and assignments delegated by the Board or Officers of an association need voluntary commitment of members. In principle, the members cannot be ordered or compelled to do anything, but on the basis of their membership, they can be expected to contribute their best to the objectives of the association. On the other hand, in joining the association the members accept in general the association's rules, guidelines and objectives. In principle, they have committed themselves to be available to the tasks and assignments delegated by the governing bodies of the association. Joining the association the member accepts in general to be available to the tasks and assignments provided by the election of the association or delegated by the governance bodies or leadership of the association. Association life is an activity in social life; bringing people together and providing forum for social interaction.

As the voluntarism is the key principle of association, it is important to take care of the basic factors that ensure voluntary contribution and participation. Such factors, among several others, are attractive mission and its effective implementation, high-quality and leadership, well-designed strategy, good association management, transparency and accountability, good membership services, high ethical standard, fairness and trust.

The voluntary will of members needs to be respected in every aspect of association's activities. On the other hand, the principle of voluntarism implies that each member respects the interest and opinion of other members and seeks for consensus in decision making. There is, however, an interest that goes ahead of the individual members' interest, the collective decision of the Association made in the order stipulated by regulations. In most instances, however, the collective interest and individual interest among same-minded people are identical.

- **Voluntarism is the key engine of association activities.**
- **Voluntarism is dependent on mission, leadership and social attractiveness of an association.**
- **Collective interest formulated in formal decisions of the Association go ahead of the individual interest of an individual member.**

2. Good governance, administration and management of Association

2.1 Governance

The concept of governance is not well defined. In this guideline, governance means all the activities included in the decision making and operative management of the association. It includes the generation of vision, strategy and plan of action of the association. It contains leadership, administration and management of the association. The key governance bodies of the association are the General Assembly, Board, President or Chairman, and other Officers.

Leadership is the role of the elected officers of the association. As the governance in an association does not get support from authority of formal position or bureaucracy, the

governance is critically dependent on high quality of leadership. Leadership has also a major impact on association culture. Leadership is particularly the responsibility of the President or Chairman and their deputies and other Officers.

Administration ensures the lawfulness of the association. Good administration is described as accurate, accountable and transparent. Good administration should earn its reputation as the facilitator and servant of the association and its members, not as a controller or an obstacle. In ensuring the lawfulness the administration protects the association against deviations from laws and regulations, including association's own rules, thus minimizing the risks of association.

Management is an activity for the implementation of the decisions of the governing bodies and carrying out operative activities of the association. Management is run by the Executive Director in larger associations, and by the Chair and Secretary in smaller associations. Their roles, tasks and powers are defined in regulations. In general, they implement the decisions of the Board, prepare and implement the budget, decide on daily routines, smaller issues and conduct other practical operations. They also are at the service of Members when needed. Good management is operationally effective, efficient and focuses on the objectives defined in the strategy and mission. Management also takes good care of the association's economy and makes necessary proposals for corrective actions when needed.

Good governance comprises clear and up-to-date regulations, clear definition of roles of various governing bodies, high quality and balance of leadership, administration and management. Opportunity to active participation of members is also a sign of good governance.

- **Governance of an association comprises Governing Bodies and leadership, administration and management functions.**
- **Good governance is based on clear definition of roles of various governing powers and high quality of the three key functions: leadership, administration and management.**

2.2 Decision making by the Board or other Governing Bodies

2.2.1 Making decisions and seeking consensus

As association life is based on voluntarism a logical consequence is the high value of consensus in decision making, which comprises a great deal of governance of association. Consensus decision making is described as inclusive, participatory, cooperative, egalitarian and solution-oriented. Although the practical operations are the key for the achievement of the strategic and mission objectives, their implementation requires numerous decisions on issues which may be stipulated by regulations (such as budget and annual report) or are not regulated. The decision-making process makes meetings of various kinds an important instrument for association activities. Most important issues, such as constitutional or other regulatory changes, budget as well as activity and accounting reports, results of elections of officers etc. are decided by the General Assembly of the association. The Board decides the issues delegated by regulations or by the General Assembly and it may decide on any other important issue it finds appropriate, if the decision power is not delegated to somebody else.

2.2.2 Good meeting practice

Although the core principle of association activity may be in its social function, collective decision making is in fact the formal backbone of the association life. For making decisions the association organizes meetings.

The practice for calling upon the meeting of the General Assembly or the Board, its preparation and conduct are regulated by the constitution and bye-laws. Numerous guidelines for good meeting practices are available. In good association practice every meeting needs to fulfil certain minimum criteria:

- The call to a meeting is made in writing and transmitted through mail or e-mail. In some instances, if the meeting is very important, the reception of the call may need to be confirmed by the recipient.
- In the call, the regulatory basis, purpose and objectives of the meeting, time and venue are indicated. It is good to indicate who are called upon.
- The invited participants and their representation and affiliation are indicated.
- The agenda of the items to be discussed by the meeting is provided in advance.
- If decisions are made on issues, which are stipulated in regulations they should be mentioned in the invitation. The same is done if the proposed decisions have an impact on the basic regulations (e.g. constitution).
- If the frequency of the meeting in concern is low and its degree of formality (importance) is high, the agenda items should be complemented with a short explanation describing:
 - a) What is the context and purpose of the meeting
 - b) Why the issue is on the agenda
 - c) What was decided last time, if it is a continuing process
 - d) Which are the aspects to be taken into consideration in the decision making.

Sometimes a background paper is produced to explain an important and extensive issue. The proposals for changes in regulations, strategy plans and programmes, agreements and contracts are regularly provided as background documents.

- The Meeting venue will be prepared in advance ensuring that the necessary facilities are available and the size of the room corresponds to the number of the participants (not too crowded, but not too large either). Reserve some extra seats for possible additional participants!). Check in advance that the AV technology and other technical facilities are in place and function properly.
- The Meeting is started punctually. The participants take care that they are in place on time. The maximum duration of an uninterrupted session is about two hours. Smaller meetings should be made within that time limit; the longer ones should take a 10–15-minute break every two hours.
- At the beginning of the Meeting, the Chair, Secretary and possible vote counters and Scrutinizers of the Minutes will be elected, if they are not determined by the regulations of the association.
- Each participant, name, representation or affiliation, and the time of entering or leaving the meeting will be recorded by the Secretary and indicated in the Minutes of the Meeting. It belongs to good practice to collect the contact addresses of participants and add them to the minutes of the meeting.
- Each agenda item is allocated with time assumed to lead to a decision.
- The Chair should briefly open the meeting by reminding the members why they have gathered, whether there are any major issues and what should be the output of the meeting. The Chair also introduces the persons who don't belong to membership or secretariat and who may be invited to attend the meeting.

- Particularly in the international meetings the Chair should take care that everyone can effectively participate in spite of language barriers. The Chair introduces each item, sets the question that will be decided upon and encourages participants to active discussion. The Chair may invite secretary or another person, who may have prepared the item, to introduce the issue. It is important that everyone knows, what the issue discussed upon is. Similarly, everyone must know what are the documents discussed in the item. The experience speaks for the need to invest sufficient time for such clarifications and explanations.
- It is important to see that everyone who wants to use the floor is given that opportunity. If there are problems to keep the time schedule, it is a good practice to ask everyone planning to use the floor to announce it in advance and then close the list. Thereafter, the Chair may give a limit for the duration of the floor (for example, 3 or 5 minutes) so that everyone has the chance to use his or her share of the collective time. Crystallizing the floor to core issue and making a clear proposal is more effective than complicated lengthy "flow-of-thought" technique. It is a good practice that no one is using the second floor before everyone has been given an opportunity to say something on the issue. To facilitate the decision making, there may be a reason to warn in advance on cutting too long comments and, if needed, to ask the speakers to focus on the very content of the agenda item. No one should use a floor which does not belong to the agenda issue in concern. The only exception is the floor for point of order.
- Language is the key instrument of a meeting. To facilitate genuine participation of everyone, clear pronunciation and slow speech, should be favoured. Complex expressions, slang words, verbiage which may have only local or limited meanings, acronyms, and other context-dependent expressions should be avoided. If anybody has problems with understanding, asking questions should not be hesitated.
- After discussion the Chair summarizes the results by combining the presented opinions as close to a reasonable consensus as possible. If consensus is not possible to reach, the majority opinion will be taken as a decision of the Meeting. The other views may be recorded. If the issue is important, or, if the regulations that require, the Chair wants so to decide or some of the participants insist and get seconding, the meeting may vote.
- The *voting procedures* are stipulated by the Regulations of the association. The Chair may wish to make a pilot vote to demonstrate the direction of the forthcoming decision. After that the voting may not be needed. If any member so insists, voting should, however, still be organized. The first task of the Chair is to announce who have right to vote. If voting is made, the Chair needs to choose between various voting procedures. The voting procedure may be stipulated by regulations or several optional types of voting practices may be possible:
 - Simple majority voting on two or several options; the proposal that gets the highest number of votes will be adopted (simple majority).
 - Supermajority voting requiring defined quota (e.g. more than half or 2/3 of the available votes present). Usually such voting deals with questions of highest importance, such as changing constitution, and procedures are stipulated in the regulations. The majority requirement may even be defined as absolute majority requiring required quota of all eligible members regardless whether they are present or not.
 - If two or several proposals will get the highest and an equal number of votes, the voting continues between the winner options.

- Dropping-out decision: if several optional decisions are proposed, the options may first be voted one-against-one as pairs and again the winners against each others so that finally one winner is left.
- After the voting is announced, the Chair may permit one round of floor for the proponents of each option in order to clarify the options. After that the Chair must clearly describe the proposals which will be voted about. After that the discussion is closed and no more floors on options are permitted. It is important that the Chair explains clearly the voting procedure and checks that it has been understood. Questions concerning clarifications of proposals or clarification of the voting procedures are permitted before voting. Discussion during the voting process is not allowed.

In an important voting, the vote counters are elected in advance. Voting may be secret or open depending on what regulations stipulate or on the nature of the issue. The elections of persons are always made as secret voting. If the Chair has a casting vote, it is not used in election of persons (as it discloses the chair's choice), but the winner candidates with the same number of votes are voted again against each other or lot is used.

- In an open voting, special vote counters count the votes and also count the abstentions. The secret voting will be made on ballots. The ballot should contain nothing else but the voting opinion, otherwise it may be declared as invalid. Therefore, it is advisable the secretariat to distribute special ballot papers for voting, often with well identifiable colour so that the ballot papers cannot be mixed with other papers. The numbers of voting ballots will be counted, providing the total number of votes, votes for each option, abstentions, possible disqualified votes, and the winner is announced. The result must be announced by the Chair so clearly that everyone is aware of the final decision. After announcement of the result each participant has a right to record his or her statement in the records of the Meeting to explain his or her voting behaviour or to comment the result. The voting procedure should be discussed before the voting, not afterwards.
- The voting results are declared and confirmed. The total number of votes will be announced as well as the numbers of votes for each voted option or candidate person. All these data will be recorded in the minutes of the meeting. The meeting may also decide to what extent the voting results are published.

There is a special reason to emphasize the following aspects in the voting procedure:

- Voting is a procedure for finding the maximum support for a decision proposal or person chosen or elected (i.e. the collective will).
- The space for modification or interpretation of the rules concerning voting is purposely narrow to ensure many regulatory, justice and good decision making principles.
- A correct voting procedure produces official decision (collective will) of the association.
- If the voting procedure is claimed incorrect, and such a claim is supported by evidence and seconded, the issue should be examined and, if needed, corrected according to the regulations.
- The Chair, the meeting and the winner should treat the loser or minority gently and with respect.
- No one should question the result which is made in a right order.

- The procedural tricks should not be used for attempts to change the genuine result that corresponds to the majority opinion of the meeting.
- The rules for voting are stipulated in the regulations. They should be made clear to participants before voting and they cannot be changed during the process of voting or after the voting.
- The voting result should be respected by every member irrespectively of his or her personal opinion.

- **Meetings constitute an important instrument for Governance of an association.**
- **Several meeting practices are stipulated by legislation or regulations of association and such provisions shall be faithfully complied with.**
- **Well-prepared meetings and good meeting practices are prerequisites for good decisions.**
- **Good meeting practices support consensus-seeking and voluntary participation.**

2.3 Good Association Culture

A key issue in association life is social interaction. The voluntary interest to serve common ideals or objectives is the very core of the association life. Such life is best supported by the spirit and culture of collaboration, respect of each member's integrity and seeking of consensus in the decision making. Meeting the assignments and tasks according to decisions or agreements which have been made in a correct order belongs to good association culture. Everyone is expected to work for such principles.

Often there may be different aspirations and opinions on the objectives, directions, decisions or choices by the association. Such diversity of views is the most important asset of an association and the basic factor behind creativity and renewal, generation of new ideas and innovations. Good association culture favours and encourages discussion and presentation of diverse views, particularly as the strategies and decisions are prepared. All kind of discussion should be encouraged in order to ensure full and active participation of all members. Open organizational culture and effective and maximal information are prerequisites for such discussion. The meeting practices should be made in good atmosphere, labelled with respect of each member's opinion, encouraging discussion and in search of best solutions for the association. Good association culture is inclusive, not exclusive in view of diversity of opinions.

When decisions on the basis of discussion are made, it is important that "legal" order and regulations of the association are respected. In order to facilitate effective opinion building, generosity is expected in not wasting time with too limited details in discussion. It is, however, important that each member builds his or her opinion on best information available at the. Such information should be equally available to everyone. Voting should be a rare rather than frequent practice (in issues not stipulated to be voted).

Unity and consistency give power to the association. Cohesion is an important factor behind the association unity. Cohesion supports voluntarism and gives security to members. Cohesion is not for standardization of opinions, but respect and tolerance of

diversity. Cohesion encourages diverse views and opinions to interact in a productive manner.

Good association culture is like that of the family: It is fair to present criticism inside the association but respect unity and cohesion outside. Each Member should represent the association outside by presenting the decisions made in the "legal" order regardless of his or her personal opinion. The majority should show respect, fairness and generosity to the minority in order to support its motivation to continue voluntary activity in the association. The principle: maximal freedom of opinion before decision–no word after collective decision or voting result, is good and fair association behaviour.

- **Good association culture supports social interaction and participation in association.**
- **Good association consists of respect between members, respect and tolerance of diversity, consensus-seeking in decision making.**
- **Active participation in discussion and participation in decision making, as well as voluntary participation in association's tasks and activities speak for good association culture.**

2.4 When changes are needed

The Members may find a reason to call for corrective actions concerning either regulations, strategies, decision making or other activities of the association. For some important actions the regulations of the association may stipulate the procedures and often also sanctions for cases of deviations may be defined.

It should be understood that claiming the decision or procedure is a serious movement, which should not be made without sound justification and evidence. If, however, such justification and evidence can be presented and it is supported by seconding, the corrective action should be made. The claim should be made for the benefit of the association, not as a tool, for example, in competition between persons. For example, losing an election is not a justification for a claim, if evidence and seconded opinion on procedural errors cannot be presented. Similarly, the disqualification of votes according to rules (e.g. the votes which arrive after the deadline of reception date) cannot be taken as a sound justification of the claim. (If such votes would be accepted, it would violate the rights of the voters who have provided their votes in time). Equally important is to undertake corrective actions, if they are justified.

If, however, any doubt on the procedure and its conduct according to the rules is presented and seconded, the Chair may decide a special independent scrutiny of the process. For that purpose, it is advisable to appoint in advance an independent committee of scrutinizers.

Every association may periodically need renewal and new visions, eventually a new organization. Most of the associations manage the necessary changes through normal democratic practices, i.e. elections and formal decision-making procedures. In situations, where the "normal" procedures do not lead to renewal, the members or groups of members may initiate an action for a renewal process. In making such actions a mature balance between continuity and change, past practice and experience and new options should be considered. Change just for the sake of change is not a mature

association practice and may be as dangerous as the frozen Association without ability to justified change.

The initiatives for a change can be done either in discussion of the strategies and programmes for future activities or as a special issue in the Meetings. The most democratic way to work for renewal is to declare the programmes of candidates of key persons in elections of the Board members and Officers and work for election of the ones who represent the desired change.

2.5 Accountability of the Association

The association shall be accountable in legal and financial terms and such accountability is regulated by the national legislation. There is also principal accountability as an association which is not regulated, but which has a great impact on association's image and reputation and through them on the possibilities to implement the mission.

The Council on Foundations and European Foundation Centre (EFC) lists seven principles as key factors guiding the accountability of the philanthropic organizations. Those principles can with certain modifications be adjusted to associations in general:

- a) *Lawfulness.* Complying with the association's own regulations and the laws and regulations of the relevant jurisdiction under which the association lives. Especially important is the financial and administrative accountability required by the applicable law of the country of registration, as well as the applicable law of the country where the association may operate.
- b) *Integrity.* Truthfulness to the mission, values and competencies. The competence in the special field of association is particularly important for professional international associations.
- c) *Understanding.* Making efforts for understanding the actual situation of members in different countries and political, economic, social, cultural, and technological contexts of clients, target groups and partners. Internally understanding works for cohesion of association and externally it supports the achievement of association's objectives in the outside world.
- d) *Respecting cultural differences,* and human diversity among the membership, partners and clients including national and local experiences and practices and legislative structures, knowledge, experience and accomplishments of the various countries and communities. Respecting differences in cultures of various professions is important for multidisciplinary associations.
- e) *Responsiveness.* Listening carefully to members, national and international allies and partners in order to understand and respond adequately to their needs and realities.
- f) *Fairness.* Exercising justice in all association's activities and in inter-personal and inter-organizational relations. Being reasonable and flexible in what is required from members, fellow members and partners, ensuring that expectations are proportionate to their realistic possibilities, resources and needs.
- g) *Cooperation and Collaboration.* Recognizing that international work calls for a high level of cooperation and collaboration with a variety of actors, including inter-governmental organizations, governmental and non-governmental organizations (NGOs), professional associations, businesses, and multilateral organizations.
- h) *Effectiveness.* Assessing whether association's activities are effective in the achievement of the mission of the association and in generating the positive impact on members', clients' and partners' real situation.

Part II. Good Association Practice within ICOH

1. ICOH as an Association

1.1 History of ICOH

ICOH is an old organization with more than a 100-year tradition as a professional association. The ICOH Centennial Congress was held in Milan in June 2006 and the history of the organization was on that occasion high on the agenda. The history document is available as a CD: *ICOH Centennial Heritage* and also accessible at the ICOH website: <http://www.icohweb.org/heritage/>. Every member is recommended to visit that document as it gives much valuable information on ICOH and on its achievements. In the Centennial Congress also the ICOH Centennial Declaration was launched and it is available at the ICOH website:

<http://www.icohweb.org/news/centennial.asp>. The centennial year also demonstrated the importance of compiling, storing and organizing the documentation and other material on the association life. ICOH was found to be one of the best documented professional associations during the first century of its activity and that tradition deserves careful continuation.

- ICOH is an international professional Association in occupational health.
- ICOH is a 100-year old association with well documented mission and history.

1.2 Mission of ICOH

ICOH mission has been stipulated by the Constitution Section 1 and 2:

Section 1

The International Commission on Occupational Health (ICOH) is an international non-profitmaking, non-political, multidisciplinary scientific organisation whose sole purpose is to foster the scientific progress, knowledge and development of occupational health and related subjects on an international basis.

Section 2

ICOH provides a forum for scientific and professional communication. To achieve this purpose, the ICOH:

- (a) *sponsors international congresses and meetings on occupational health;*
- (b) *establishes scientific committees in various fields of occupational health and related subjects;*
- (c) *disseminates information on occupational health activities;*
- (d) *issues guidelines and reports on occupational health and related subjects;*
- (e) *collaborates with appropriate international and national bodies on matters concerning occupational and environmental health;*
- (f) *takes any other appropriate action related to the field of occupational health;*
- (g) *solicits and administers such funds as may be required in furtherance of its objectives.*

Put in brief, ICOH mission comprises 5 main elements, promotion of research, information and training in occupational health and introducing good occupational health practices. An overarching principle in all ICOH activities, both within ICOH and outside is ethics. ICOH sets certain ethics criteria to its membership and provides practical guidance through a guideline (see below).

Most of ICOH mission is implemented through its activities in Scientific Committees, Special Committees, Task Groups and Working Groups and, if needed, in ad hoc-groups. The ICOH Newsletter and website, as well as various publications serve the information mission. ICOH organizes triennial world Congresses, which are the main international inventory of research in occupational health in the world, attracting usually 2000–3000 participants and presenting some 1500–2000 research communications of different types. The ICOH mission can be illustrated as in Figure 1.

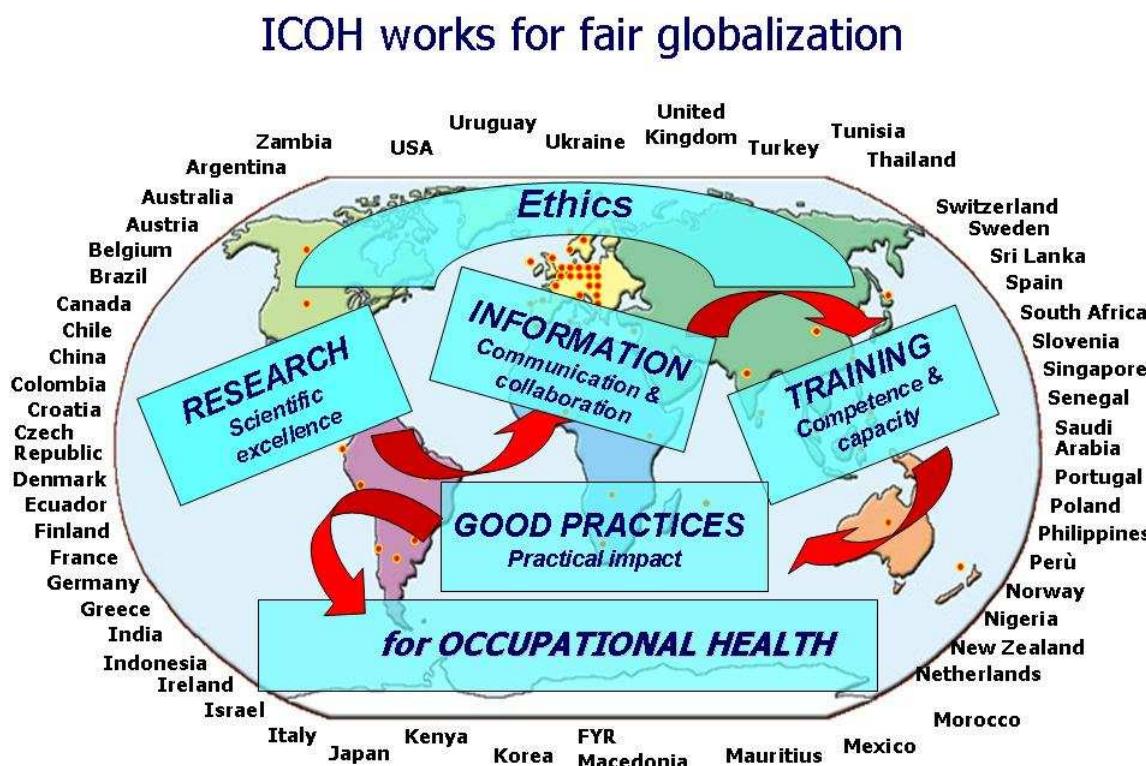


Figure 1. Five main elements in the ICOH mission.

- ICOH mission in international occupational health consists of research, information, training and introduction of good practices.
- Ethics is an over-arching principle in all ICOH activities within ICOH and outside the Association, including its relationships with the external partners.

1.3 ICOH and law

The ICOH is registered in ***Milan, Italy***, the place of foundation of ICOH for over 100 years ago. Although the Presidency and Secretary General positions of ICOH may rotate from country to country, due to complex legal arrangements, it is highly advisable to keep the home site constant. According to GAP, the home site also should keep the master archives of all key documentation of the Association (see below). It is the duty of each actual leadership to take care that such documentation is archived. ***Being founded in Italy and being registered in Milan, Italy, the ICOH in a legal sense is an Italian Association with an international mission.*** This has a lot of implications to the ICOH practices, including accounting, book-keeping, taxation and several other legally stipulated duties. ***In principle, the applicable law is the Italian legislation.*** In several situations, ICOH, however, needs to consider also the legislation applicable in the country where ICOH operates, e.g. organizes the ICOH Congress. For example, in the financial transactions the legislation in both countries may be different and both need to be complied with.

In spite of its remarkable age, ICOH as an Association is not heavily institutionalized. The activities are mainly carried out on a voluntary basis by persons running several other activities in their principal jobs. Thus, voluntarism is a most important fuel of ICOH activity. The Secretariat is small and mostly part-time. This makes ICOH critically dependent on voluntary activities of its members and particularly elected officers, such as ICOH Officers, Chairpersons and Secretaries of the Scientific Committees. The members and various officers and actors come from different countries with differences in legal structures. It is important that in ICOH activities the applicable law is complied irrespectively of the actor's own legal traditions.

- ICOH is officially registered, non-profitmaking professional Association registered in its birthplace, Milan, Italy.
- The official address of the ICOH is: **Instituto Medicina del Lavoro, Via San Barbara 8, 1-20122, Milan, Italy.**
- The applicable law ruling ICOH is the Italian Law.
- While under the jurisdiction of Italian law, ICOH is responsible to consider also the applicable law in the countries in which it may operate.

1.3 ICOH regulations

The ***Constitution of ICOH*** stipulates the mission and purpose, membership, fees, general assembly, management, international congress, scientific committees, bye-laws, amendments and emergency powers of the Association and contains provisions on governance, activities, conditions of operation, membership, their rights and obligations and relations of the association with other parties.

The ***Bye-Laws*** stipulate more in detail the membership, fees, general assembly, officers, voting procedures for officers, voting procedures for the venue of the international congress, scrutineers, budget, scientific committees, national and regional secretaries, emergencies and amendments, i.e. how the provisions of the constitution are implemented in practice.

A good governance principle of association is that the constitution is stable, it will be amended seldom and only with the power of the highest decision-making body of the

Association (General Assembly of ICOH), while the Bye-Laws are more flexible and can be amended by the Board. Even the proposal for amending the Constitution is regulated so that the movement to amendment needs a broad support (usually an initiative and proposal by the Board). Experienced association leaders warrant carefulness and prudence in changing the Constitution as even a minor change may have several implications on other parts of the Constitution, which are difficult to recognize when discussing a detailed point of the regulation.

In addition to regulations, good conduct of an association is supported and guided by a number of Guidelines. Guidelines are official ICOH documents approved by the Board of ICOH.

The most important Guidelines are the following:

- Guideline for Scientific Committees
- Guideline for National Secretaries
- Guideline for Organizing ICOH Congresses
- International Code of Ethics for Occupational Health Professionals

- **The core regulations of ICOH are the Constitution and the Bye-Laws.**
- **ICOH Board has approved several guidelines for guidance of good conduct of association activities.**
- **International Code of Ethics for Occupational Health Professionals is intended to guide the ethical conduct of activities of ICOH members and all other occupational health professionals.**

1.4 Organization of ICOH

The Organization of ICOH is broken down into following main entities:

General Assembly (GA)

The GA is the highest decision-making body of ICOH. It decides on appointment of the elected Officers, on the elected venue of the ICOH Congress and accepts the budget, triennial report and accounts report of the Association.

The ICOH Board is elected in a general election by the members in good standing. It is the highest operational and policy-making body of ICOH, responsible to the General Assembly. The Board supervises and advises the work of the Officers and decides on the presentation of proposals for the decisions of the General Assembly.

The Officers

The President is in charge of strategic and operational activities of ICOH, implementation of GA's and Board's decisions and in lead of policy implementation, as well as on representation of ICOH. President is also the Chair of the General Assembly and the Board.

The Vice Presidents are high ICOH Officers, responsible for special activities as delegated by the regulations and the President. One Vice President coordinates the activities of Scientific Committees and the other the activities of National Secretaries.

The Secretary General is the head of the ICOH office, chief manager of ICOH, responsible for economy, daily routine activities, preparation of the Board's meetings, and other operational activities of ICOH.

Committees, Task Groups, Working Groups and Networks

These are advisory and preparatory bodies for the Board. The Finance Committee is the only one stipulated by the regulations, all the others are based on Board's decision and do prepare important issues for Board or give advice to the Board and Officers on key issues of ICOH activities.

The Scientific Committees (33) are special regulation-based bodies of scientists and experts active in Occupational Health. The members in principle are ICOH members (with a few exceptions).

The National Secretaries

The National Secretaries are ICOH contact persons and representatives in their countries. The National Secretaries may be elected by the ICOH members of the Country (if the number of ICOH members in the country is 15 or more) or appointed directly by the President of ICOH.

The Newsletter

The Newsletter is an "Official Organ" of ICOH led by the Editor who is stipulated by Regulations. The Newsletter is distributed as a hard copy for each ICOH member in good standing 3 times a year and through the ICOH website.

The terms of reference, tasks, duties, powers and rights of the Governing Bodies and Officers are stipulated in the Constitution and Bye-Laws. Every officer and Member of the Governing Bodies is expected to examine carefully the regulations and consult them, if needed, in the course of their activities. The Secretary General keeps the regulations available in every Meeting of the Governing Bodies and in the meetings of the Officers. The Regulations will be made available for every Member of the ICOH.

The organizational Chart of ICOH is given in Figure 2 .

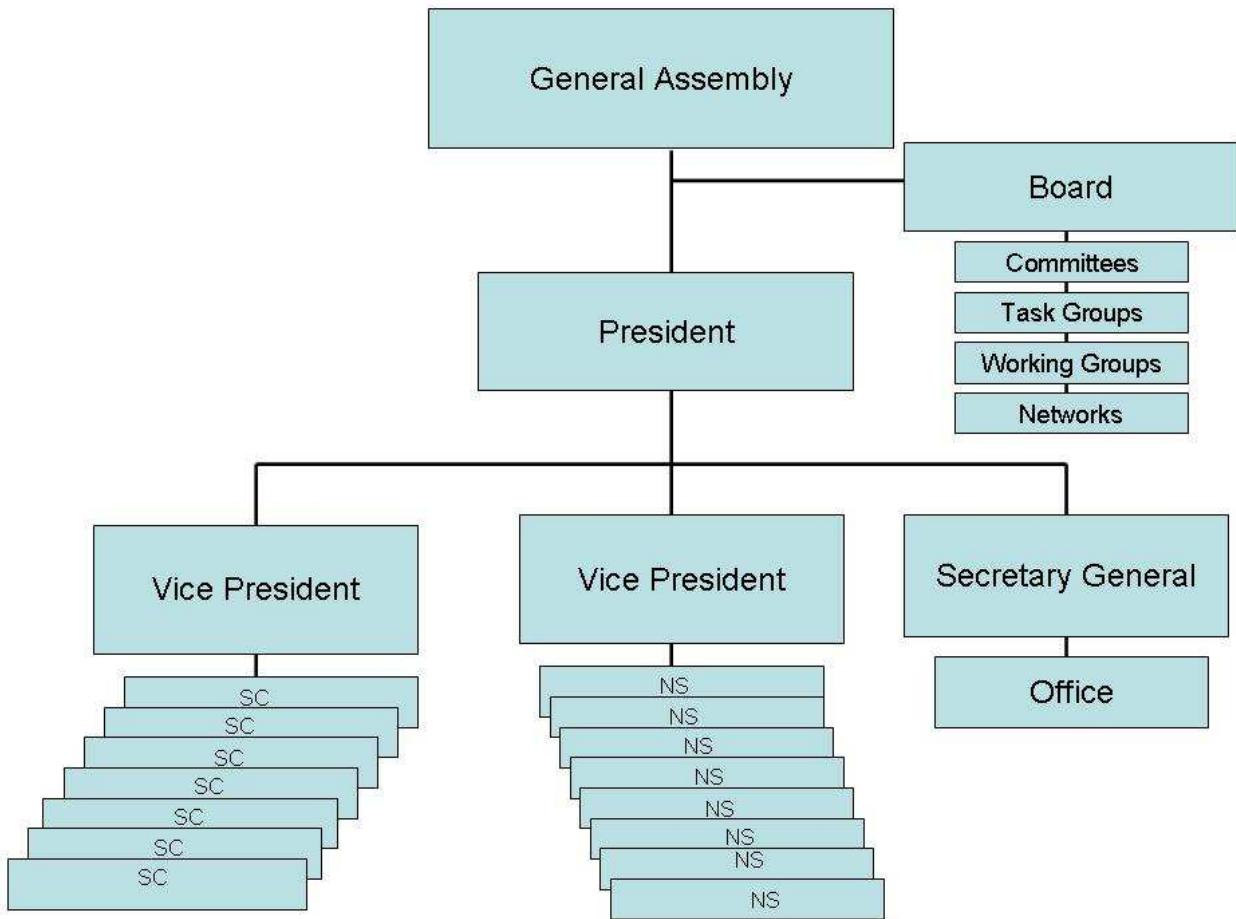


Figure 2. ICOH organization as of triennium 2006–2009.

- The Governing Bodies of ICOH are the General Assembly and the Board.
- The Officers are President, two Vice Presidents and Secretary General.
- ICOH has Scientific Committees with elected Chairperson and Secretary nominated by the Chair. The Scientific Committees may have an Executive Committee or a respective body.
- ICOH National Secretaries are elected by the members of the country or appointed by the President of ICOH.
- The ICOH Newsletter is the official organ of ICOH with Editor in Chief appointed by the President.

2. Election procedures

ICOH has several positions to which the holders are elected. The Regulations stipulate the election procedures for President, Vice Presidents and Board Members. In addition to the election of persons, the Venue of the forthcoming ICOH Congress will be elected 6 years in advance in connection of the ICOH Congress.

The announcement of elections has been regulated by the Bye-Laws and the critical dates are defined in the regulations. Every candidate needs to provide a short 150 words CV and a written support letter from five Members in good standing to be sent by a stipulated date to the Secretary General. A new practice is that each candidate also will make a short programmatic announcement, how he or she would act and work in the position and which objectives he or she would see most important in the forthcoming tenure. An absolute pre-requisite for candidacy for any election is the ***membership in good standing.***

Before deciding to run for election the potential candidate is expected to give the ***declaration of freedom from conflict of interest*** which is an absolute requirement for becoming a candidate.

It is also advisable that the potential candidate ensures his or her ability to work actively in the position in concern, have time to make contributions and participate in the meetings, necessary resources and facilities, and if needed, permission from superiors, host institution or employer to participate. In most positions, the institutional support (office facilities, e-mail and computer services, possible secretarial support in major tasks) for making concrete contributions is needed or will very much facilitate the contribution by the elected person.

Elections are also made for the Officers of Scientific Committees so that the members will elect the Chairperson and the Chair will propose to the President the Committee Secretary for approval after discussion with the Committee members.

For Scientific Committees the procedure is the following: The member willing to serve as the Chair of the Scientific Committee will declare his or her interest in good time in advance to the Chair of the Committee. In the meeting of the Scientific Committee, the Chair will announce the names of the candidates. They may be given opportunity to give a programmatic announcement before the voting starts. As it is the question of personal election, secret ballot voting will be organized. For other formalities, see point 2.2 in Part I and the ICOH Guidelines for Scientific Committees. In some cases election may be run also through correspondence. In such case, the documentation of the voters and voting procedure shall be as reliable as in the case of on-site voting.

The National Secretaries will be elected, if the number of members in the Country is 15 or more. The election of the national secretary follows the same principles and is guided in the ICOH Guideline for National Secretaries.

While elections of Officers, Board Members and the Venue of the forthcoming ICOH Congress are well stipulated by ICOH regulations, some important principles deserve to be repeated on election:

- a) Only members in good standing are eligible and only members in good standing can provide support letters for the candidate.
- b) The candidates shall submit their freedom from conflict of interest form before elections.
- c) The rotation principle limits the number of tenures of President, Vice Presidents, Board Members, Chairs and Secretaries of Scientific Committees and National Secretaries to two (for continuity reasons the Secretary General may be elected for several tenures).
- d) The procedures stipulated by ICOH regulations shall always be followed. If uncertainty prevails on election procedures in special cases, which are not

mentioned in the regulations, the election procedures of the regulations will be applied.

- e) The election procedure, participants in the election, names of candidates and results of voting must be documented and submitted to the Secretary General of ICOH to be stored in the official ICOH files.
- f) Only ICOH member in good standing has a right to vote in any ICOH voting or election procedure.

After election has been made and results have been concluded, it is expected that the result is respected according to good association practice. If procedural errors are found or suspected, the claim should be made as early as possible and evidence on the possible deviation from the rules should be given. The claim needs to be seconded. If the claim meets the above criteria it must be scrutinized by the Scrutinizers' Committee. Dissatisfaction on election results, which has been achieved according to regulated procedures, does not justify a claim on procedures without evidence on procedural failure.

- **ICOH organizes elections for Board Members, Officers and Venue of the forthcoming International Congress.**
- **Chairs of Scientific Committees and National Secretaries will be elected by the members of the Committee.**
- **National Secretaries will be elected by the ICOH Members in the Country in concern or appointed by the President of ICOH.**
- **Absolute requirement for eligibility to any ICOH position is the filling of the Freedom from Conflict of Interest Form.**
- **Absolute requirement for eligibility is the Membership in good standing.**
- **The application for the Venue of the International Congress shall be supported by five ICOH Members in good standing.**

3. ICOH Membership

3.1 Joining ICOH as a Member

The mission of ICOH is to promote research in occupational health and related areas, transmit information, organize training for Members and others, and to distribute good practices in occupational health. As the implementation of such a mission needs professional competence and skills, the members are experts in some relevant area of occupational health. In addition ICOH invites young members and has several other categories of membership including members from developing countries, who have certain special benefits.

In joining ICOH the forthcoming member is expected to accept the ICOH mission and ICOH regulations, Constitution and Bye-Laws. As professional ethics is a fundamental interest and asset for ICOH, the members are expected to behave according to the principles spelled by the *ICOH International Code of Ethics to Occupational Health Practitioners* irrespectively of their professional background or expertise.

Before joining it is recommended that the forthcoming member consults the Code of Ethics in order to ascertain that compliance with the ICOH regulations and guidelines is acceptable to him or her.

ICOH is in a sense selective with its membership. Each incoming member needs recommendation by three ICOH members in good standing. The recommendation of a non-member or a member who has not paid the member fee is not valid. Every ICOH member is expected to help the incoming member to get the application form (www.icohweb.org) and the recommendations, if the applicant meets the criteria set by the ICOH regulations.

As joining ICOH is totally voluntary, so is also resigning. A member can always cancel the membership by notifying to the Secretary General.

A member can also be excluded from the membership in cases where the violation either of ICOH regulations or Code of Ethics has happened. There is a special mechanism in the ICOH Bye-Laws for deciding on exclusion of a member.

- The joining member is expected to accept the ICOH mission and regulations.
- The joining member is expected to subscribe the ICOH International Code of Ethics for Occupational Health Professionals.
- Each joining member shall send a membership application supported by three ICOH Members in good standing.
- Joining ICOH is voluntary as is also the resignation. Violation of ICOH rules or Code of Ethics may lead to exclusion from the membership.

3.2 Members' rights and duties

The ICOH member has both rights and duties, most of which are stipulated by ICOH Regulations. Here only a few important aspects are discussed and otherwise the Regulations are referred to.

By applying membership, being accepted and after payment of the member fee the person enjoys all the rights of the ICOH member (is called "*member in good standing*").

The most important member's rights are the following:

- a) Right to participate in the democratic decision making of ICOH.
- b) Right to vote in elections of Officers, Board Members, Congress venue and Scientific Committee Officers (and National Secretary for own country)
- c) Right to join ICOH Scientific Committees
- d) Right to get the ICOH Newsletter and other ICOH information
- e) Eligibility as a candidate for elections (with limitations concerning the number of tenures)
- f) Right to participate in the ICOH Congresses with an ICOH member status, including stipulated lower fee
- g) Right to ICOH membership benefits, such as information products and services.

The member of ICOH has also a number of duties

1. Payment of member fee on time
2. For certain positions filling the declaration of freedom from conflict of interest form

3. Following ICOH ethical principles, the ICOH International Code of Ethics for Occupational Health Professionals and good association behaviour
4. Participating actively in relevant ICOH activities
5. Representing and promoting ICOH in a decent way
6. Being available for specific assignments and tasks on request and within the limits of available personal time, competence, resources and voluntary interest.

Special benefits for the ICOH member

Individual members enjoy a substantial reduction of the registration fee of the triennial ICOH International Congresses and some other ICOH-sponsored conferences. They also enjoy 20–30% reductions of the subscription rates of international scientific journals, such as Applied Ergonomics, Archives des Maladies Professionnelles, Dermatoses in Beruf und Umwelt, La Medicina del Lavoro, and the Scandinavian Journal of Work, Environment and Health. More reduced subscription fees will be continuously negotiated. ICOH members will also enjoy a 50% reduction in the price of all ILO publications, including the Encyclopaedia on Occupational Health and CIS abstracts. [Click here to go to ILO Publications website](#). ICOH members will also be granted a 40% reduction on all WHO information products. It is required to send a copy of the ICOH member card with the orders to WHO and ILO publications. Epidemiology, a monthly journal, is making a discounted subscription offer to ICOH members. Irregularly the ICOH members are offered free scientific publications mainly from the WHO, the UNEP and the CEC.

- **Each ICOH member has duties related to both association activities and personal professional conduct.**
- **The member in good standing is entitled to certain membership rights in decision making and participation in association activities.**
- **Each member in good standing enjoys certain benefits and services organized by ICOH.**

3.3 Working on special assignments

A Member may be elected, appointed or asked to do special tasks or to serve in a special function, such as chairperson or secretary of a Scientific Committee, special Task Group, Working Group or other body. In accepting such task again the principle of voluntarism is followed.

Assignments are not only "honorary positions", but the Member is expected to produce an output for the implementation of the ICOH mission. If one is not convinced that he or she has realistic possibilities for achieving the expected results (in collaboration with other assigned), one should not take the task, but find ways to contribute in other forms. While accepted, the tasks start to bind the Member. First in all activities the principles, general regulations, rules and guidelines of ICOH are valid. Usually the task is delegated with terms of reference, defining the objectives, expected outputs and outcomes and deadlines. After assignment the reply of approval of the assignment is expected. As the assignment is usually bound to the time schedules of ICOH triennial cycle, the observation of deadlines is important. It is the practice of ICOH that each formal assignment will be given in the form of an official letter by using ICOH letterhead so that the document can be used as an evidence for the personal CV.

It is important to report on the progress of the implementation of the assignment periodically. Natural reporting stages dates are the following:

- That the activity has been started.
- In good time before the Mid-Term meeting of the ICOH Board.
- A final report in good time before the end of the triennium to the forthcoming ICOH Board and the General Assembly.
- Typically the Report contains information on the fulfilment of the task, outputs and outcomes and, if appropriate, comments on obstacles or success factor to be used as a lesson for future activities. The persons involved and their roles in the activity shall be mentioned.
- The documentation of the Final Report should be made in the form that permits archiving in the ICOH official files.
- ICOH Secretariat provides model formats for reporting.

It is strongly recommended to report more actively and frequently than less actively. The reports in general are addressed to the Officer or Body who gave the task. If meeting of the assignment turns out to be impossible, it should be reported back as early as possible.

Publishing in the names of ICOH is regulated by a special guideline. The general principle of ICOH is that nothing can be published in the official names of ICOH without the acceptance of the ICOH President and Secretary General. This shall not limit ICOH members' rights to publish in their personal account their professional or scientific materials or present publicly their personal opinions.

- The ICOH member is expected to accept assignments for specific tasks or activities within the limits of competence, capacity and practical possibilities.
- Assignments will be reported according to a scheme provided by ICOH.
- The member is entitled to refrain or resign from assignment, if he or she finds it inappropriate or impossible to complete.
- All official publications in the names of ICOH shall be approved by the President and Secretary General. This shall not limit members' personal publication of scientific or professional materials or presenting public opinion according to their interest.

3.4 Good ICOH membership

ICOH carries out a multitude of functions and activities. Some of them are regulated activities, such as most of the administrative tasks usually carried out by the elected Governance Bodies or Officers. Some others are substantive activities or implemented on an ad-hoc basis. The basic idea of Association is that as many different types of competence, skills and capacities of the membership are utilized as possible. Each member gives his or her best capacity for the implementation of the mission of the Association. The member is not expected only to respond positively, if asked, but also to make initiatives, present new ideas, proposals and offer his/her voluntary capacity to the use of the Association. The best way to assure the realization of the initiative is to send it in a written form to some of the Officers. If the initiative concerns a regulated

item, the deadlines for submission of the documents for formal meetings need to be observed.

In joining ICOH the Member is expected to accept the ICOH mission and ICOH regulations, Constitution and Bye-Laws. As professional ethics is a fundamental interest and asset for ICOH, the Members are expected to behave according to the principles spelled by the ICOH *International Code of Ethics to Occupational Health Practitioners*. In joining ICOH the member also accepts to respect the other rules of the Association, guidelines and decisions made by the elected Governance Bodies of ICOH. It is also important to realize that joining the Association implies behaviour by the Member within and outside the Association activities, which does not violate or undermine the principles, mission, regulations, image or reputation of the Association.

ICOH Constitution, Section 1 stipulates ICOH as an international non-profitmaking organization. So ICOH does not get involved in profit-making business activities directly or indirectly through advertisement. At this point, it is necessary to emphasize that the direct or indirect use of ICOH name or ICOH membership for commercial purposes, e.g. for advertisement of a commercial product, is strictly prohibited. Similarly, representing interests of other parties by using ICOH name for commercial or other related purposes is prohibited as is also any action which can be interpreted as a violation of ICOH mission, ethical principles and reputation.

ICOH membership has historically shown high membership standard (with extremely rare exceptions) and conduct of good association practice. It is an ICOH objective to promote and facilitate further such good membership culture through active discussion and among others through this guideline.

- **Good membership means subscription of ICOH mission and regulations and being available for assignments within the limits of personal possibilities.**
- **Compliance with the ICOH International Code of Ethics belongs to good membership.**
- **Use of ICOH name for advertisement or for other commercial purposes is strictly prohibited and violates the ICOH Constitution Section 1 and damages ICOH as an independent non-profitmaking Organization.**

4. ICOH and ethics

The ICOH mission consists of four activities, research, information, training, and introduction of good occupational health practices. The fifth important principle in the ICOH mission is the introduction, guidance, promotion and guarding professional ethics in occupational health within the ICOH framework and outside in all relevant contexts of individual, association-wide, national, international and global contexts. The close relations of ICOH with the Intergovernmental Organizations, WHO and ILO, also require high ethical standard and independent professional association role. To implement such an ambitious role ICOH needs first of all assure its own ethical standard as an independent professional association and at the level of individual members, scientific committees, various groups and bodies, governing bodies and

officers. ICOH has achieved an important international guiding role in professional ethics through its *International Code of Ethics for Occupational Health Professionals*.

The ICOH Code of Ethics remains to be the most important guiding document for the international occupational health community. It will be periodically reviewed for possible needs of updating according to the needs of rapidly changing work life.

The basic principles of the Code remain unchanged:

1. The purpose of occupational health is to serve the health and well-being of the workers individually and collectively. Occupational health practice must be performed according to the highest professional standards and ethical principles. Occupational health professionals must contribute to environmental and community health.
2. The duties of occupational health professionals include protecting the life and health of the worker, respecting human dignity and promoting the highest ethical principles in occupational health policies and programmes. Integrity in professional conduct, impartiality and the protection of the confidentiality of health data and the privacy of workers are part of these duties.
3. Occupational health professionals are experts who must enjoy full professional independence in the execution of their functions. They must acquire and maintain the competence necessary to their duties and require conditions which allow them to carry out their tasks according to good practice and professional ethics.

ICOH as the provider of the Code and as the key global association in occupational health must first of all implement the Code in all its own activities. Therefore, the sensitivity of ICOH to the deviations from good conduct must be high. This implies that each member and each Body should examine the Code of Ethics carefully and think how it should be implemented in everyone's daily practice.

Similarly the ICOH Officers and Governing Bodies should specifically be vigilant with their own conduct and practices. If deviations do occur, necessary actions are the obligation of the ICOH leadership as described in point 5. The high ethical sensitivity is also critical besides for ICOH role as an independent professional body officially recognized by the Inter-Governmental Organizations, WHO and ILO, also as international professional partner to anybody active in the field of ICOH mission. As WHO and ILO have made special provisions concerning asbestos and tobacco industries, ICOH as a NGO in official relations with them has committed to follow their principles in relation to those industries. This in practice implies that an ICOH officer or member cannot receive funding or be in any collaborative relation with such industries.

- **High ethical standard is vitally important for ICOH as an Association and for ICOH members in their professional activities.**
- **The ICOH as an Organization and the members as individual professionals are effectively guided by the ICOH Code of Ethics.**
- **As an important partner for UN Inter-governmental Organizations WHO and ILO, ICOH must own high sensitivity to ethical conduct in all activities and also zero tolerance to misconduct.**

5. Violation of ICOH principles, Regulations and ICOH Code of Ethics

ICOH members are active in various tasks and missions in their own constituents and in numerous international activities. The vast majority of such activities are conducted according to good professional practice and applying principles of ICOH Code of Ethics. But in very rare cases it has happened that the above principles or ICOH rules have been seriously violated or scientific misconduct has been exercised, which have caused ICOH severe problems in accountability and damaged the ICOH reputation as an independent non-profit professional NGO. If an individual exercises unethical conduct or violates Associations' rules and ethical principles, uses ICOH name for individual commercial interests or otherwise affects ICOH's professional independence he or she makes it on the cost of the collective good of Association and its members. If ICOH reputation is high, the membership in ICOH provides an important professional asset to the members. Independence and credibility as an Association is one of the most valuable assets and a collective good of ICOH. Violation or misconduct by an individual is not only his or her personal issue. ***Individual's violation of ICOH reputation threatens that collective asset of Association and values of other members.***

Conflict of interest, COI

A conflict of interest is a situation in which someone in a position of trust, such as a lawyer, insurance adjuster, a politician, executive or director of a corporation or a medical research scientist or physician, has competing professional or personal interests. Such competing interests can make it difficult to fulfil his or her duties impartially. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, profession, or court system (or association). A conflict can be mitigated by third party verification or third party evaluation noted below—but it still exists.

Methods for dealing with conflict of interest are the

- a) Removal, i.e. avoiding COI totally by refraining from activities and situations, which may imply dual loyalties,
- b) Disclosure through declaration of conflict of interest, i.e. declare openly the connections and relations, which may generate COI,
- c) Recusal, refraining from decisions, which may imply conflict of interest
- d) Third party evaluator, let an independent and impartial person or body to examine the case and give statement on possible existence of COI,
- e) Code of ethics, which spells out the principles for avoidance of COI. The Code has a preventive and guiding role for behaviour of the members.

Declaration of potential conflict of interest has become a policy for transparency in virtually all associations with important social or societal mission. It is also a well-established policy in all high-quality medical and other scientific and professional journals. The International Committee of Medical Journal Editors, ICMJE, spells out in their Uniform Requirements for Manuscripts Submitted to Biomedical Journals: Writing and Editing for Biomedical Publication (2007), the following:

When authors submit a manuscript, whether an article or a letter, they are responsible for disclosing all financial and personal relationships that might bias their work. To

prevent ambiguity, authors must state explicitly whether potential conflicts do or do not exist. Authors should do so in the manuscript on a conflict of interest notification page that follows the title page, providing additional detail, if necessary, in a cover letter that accompanies the manuscript. Authors should identify Individuals who provide writing or other assistance and disclose the funding source for this assistance. Investigators must disclose potential conflicts to study participants and should state in the manuscript whether they have done so. Editors also need to decide when to publish information disclosed by authors about potential conflicts. If doubt exists, it is best to err on the side of publication.

Scientists have an ethical obligation to submit creditable research results for publication. Moreover, as the persons directly responsible for their work, researchers should not enter into agreements that interfere with their access to the data and their ability to analyze it independently, to prepare manuscripts, and to publish them. Authors should describe the role of the study sponsor(s), if any, in study design; in the collection, analysis, and interpretation of data; in the writing of the report; and in the decision to submit the report for publication. If the supporting source had no such involvement, the authors should so state. Biases potentially introduced when sponsors are directly involved in research are analogous to methodological biases of other sorts. Some journals, therefore, choose to include information about the sponsor's involvement in the methods section.

Editors may request that authors of a study funded by an agency with a proprietary or financial interest in the outcome sign a statement such as, "I had full access to all of the data in this study and I take complete responsibility for the integrity of the data and the accuracy of the data analysis." Editors should be encouraged to review copies of the protocol and/or contracts associated with project-specific studies before accepting such studies for publication. Editors may choose not to consider an article if a sponsor has asserted control over the authors' right to publish.

Transparency

Transparency implies openness, communication, and accountability.

Transparency is introduced as a means of holding public officials and association officials and members accountable and fighting corruption, misconduct and fraud. When laws, rules and decisions are open to discussion, they are seen as transparent and there is less opportunity for the individual persons to abuse the system in their own interest. In the association life transparency means disclosure of potential conflict of interest. ICOH uses for that the special form called ***Declaration of Interest Form***. For an association like ICOH in formal collaboration relationships with the Inter-Governmental UN organizations, transparency (and accountability) are critical assets.

Most common "exposures"

The most common "exposures" for ICOH members might be the pressures from the company management, other economic powers or other interest groups to deviate from an independent professional role. Another risk is to the members is the misuse ICOH name for commercial purposes. The third risk may be the scientific misconduct or plagiarism, violation of intellectual property rights to data, research results or presentations of the real owner. A general principle of transparency spells that in the case of uncertainty whether or not one should disclose the potential conflict of interest, the disclosure is preferred. Attempts to take ICOH name for commercial purposes or distort the results of ICOH elections have also been faced.

From Association's collective interest point of view either unintentional or intentional hiding of conflict of interest or injuring ICOH reputation and image as an independent,

non-political, non profit-making Association is behaviour, which in the interest of the ethical principles of ICOH and in view of defending ICOH's and its members high professional standard and independence, cannot be tolerated and need to be sanctioned. The principles presented below are based on general principles for guiding ethical conduct in professional activities and in research and for preventing and managing possible cases of violations or misconduct. Most of the formal content is taken from the National Advisory Board on Research Ethics (Finland) guideline: ***Good scientific practice and procedures for handling misconduct and fraud in science***, which is very much in line with several respective national guidelines in other countries.

5.1 Different types of possible violations

Two main categories of misconduct in association practice are separated:

- a) Misconduct and violation as a member of association or (association misconduct)
- b) Violation and misconduct of good research or professional practice (professional misconduct)

a. Misconduct and violation as a member of association

The member who intentionally causes harm to ICOH reputation as an independent professional organization or otherwise acts in a way that injures position, reputation or relationships of ICOH, should be subjected to disciplinary measures defined by the ICOH regulations and more in detail described below. Such violation may comprise for example:

- Direct violation of ICOH Regulations and the obligations by the ICOH Code of Ethics
- False or untrue information on ICOH's mission, role, objectives, or operations
- Using ICOH name in personal interests for commercial purposes is a violation of ICOH Constitution Section 1 and damages ICOH reputation as an independent non-profit professional association.
- Similarly, acting in name of ICOH without authorization by the appropriate ICOH decision-making body or officer violates the formal authority of the respective bodies.
- Serving in the name of ICOH any interest or partners which counteract the ICOH mission or violate regulations or principles of the ICOH Code of Ethics
- Failure to present the Declaration of Interest or giving false information in the Declaration

The above should not prevent the member from doing scientific or professional initiatives and planning other scientific or professional activities either with other members or with other partners. It should also not prevent the Member from informing on ICOH as an association or on its activities to third parties or transmitting information from other parties to ICOH. The decisive criterion is the genuine service for ICOH mission. ICOH also incorporates in its international agreements and contracts, agreements on sponsoring and on sustaining member's, provisions regarding compliance with principles of ICOH Code of Ethics.

ICOH encourages the members to introduce their affiliation with ICOH in their professional activities, including presentations in scientific congresses and other events and their publications. Such activity is in all cases subject to provisions by ICOH

regulations and ICOH Code of Ethics. If any uncertainty prevails, the Officers are always available for consultation.

b. Violations of good scientific or professional practice

As a member of an independent scientific and professional organization ICOH membership implies in all activities high professional and ethical standard. It is in the interest of ICOH that all allegations regarding improper conduct in research or professional practice are investigated. This part of the guideline concerns only the violations of good scientific or professional practice in situations where the suspect is an ICOH member and carries out research or other professional activities either within the framework of ICOH or in other contexts.

Violations of good scientific practice are classified into two categories:

- Misconduct in science and
- Fraud in science.

Misconduct in science and fraud in science shall be understood as follows:

"Misconduct and fraud in science may be perpetrated in the research process and in the presentation of results and conclusions. Misconduct and fraud in science not only violate the integrity of science, but those perpetrating them may also be guilty of an unlawful act. Honest differences in interpretations or judgments of data, meanwhile, are part of the scientific debate and do not violate good scientific practice."

Misconduct in science is manifested as:

- Gross negligence and irresponsibility especially in the conduct of research
- Understatement of other researchers' contribution to a publication
- Negligence in referring to earlier findings
- Careless and hence misleading reporting of research findings and the methods used
- Negligence in recording and preserving results
- Publication of the same results several times as new; and/or
- Misleading the research community about one's own research
- Failure to disclose ones conflict of interest or limitations of scientific independence
- Any financial or other dependency relationship, which may affect the objectivity and independence of the researcher.

Fraud in science means deceiving the research community and often also decision makers.

It is to give false information or present false results to the research community or to disseminate them, for instance, in a publication, in a paper presented at a scientific conference, in a manuscript submitted for publication or in a grant application. Different manifestations of fraud are illustrated below in four categories: fabrication, misrepresentation, plagiarism and misappropriation.

- Fabrication is to present fabricated data to the research community. Fabricated data have not been obtained in the manner or by the methods described in the report. Presenting fabricated results in a research report is also fabrication.
- Misrepresentation (falsification) means intentionally altering or presenting original findings in a way which distorts the result. Misrepresentation means scientifically unjustified alteration or selection of results. It is also misrepresentation to omit results or data pertinent to conclusions.

- Plagiarism is to present someone else's research plan, manuscript, article or text, or parts thereof, as one's own.
- Misappropriation means that a researcher illicitly presents or uses in his/her own name an original research idea, plan or finding disclosed to him/her in confidence, hiding or not disclosing the sources of funding which may affect the independence of the researcher in his scientific activity, hiding or not disclosing the conflict of interest which may affect his independence as a scientist or professional in occupational health.

- **Two main types of violations are described:**
 - a) association misconduct and
 - b) professional misconduct
- **The former violates ICOH Regulations or good association practice, the latter deals with scientific and professional misconduct in research or other professional activities.**
- **ICOH members have several "exposures" but the violations or cases of misconduct have been extremely rare.**

5.2 ICOH actions in the cases of misconduct or violation

The sanctions on misconduct are stipulated by the Article 2 Section 7 of the Constitution and Bye-law 17. If a member has gained admission to ICOH by fraud, false statement or imposition and allegations with evidence are presented, the case shall be examined by ICOH. Similarly, if the member has been accused to have acted in any respect in a dishonourable or unprofessional manner, for example, violated ICOH Constitution or Bye-laws, or behaved in an unprofessional and dishonourable way, broken against the principles of ICOH Code of Ethics, and allegations with evidence are presented, the case must be examined by ICOH. Examination of allegations on cases shall be initiated by the President immediately if a member in good standing it insists, presents evidence and is seconded. The President may also initiate examination if information and evidence supporting allegations is provided from other well-identified and reliable sources. The President shall ask the Committee on Ethics and Transparency to investigate the case. The alleged person has a right for hearing by the Committee. Depending on the result of examination the member may be subjected to disciplinary actions, which may include obligation to resign from the ICOH membership. The procedure for examination of allegation and the possible disciplinary actions taken are stipulated by the Bye-Laws.

President shall apply following principles in the actions on misconduct or violation:

- Careful examination of the case
- Fairness, and impartiality and justice
- The hearing of all parties concerned
- A speedy process
- Action for implementation of the possible sanctions or other consequences
- Any member can apply the procedures set out in these guidelines when there are grounds for suspecting of misconduct or when violence is suspected.

- As there is a question of a very serious allegation, the strength of grounds and evidence on the case should be as good as possible.

On the basis of statement by the Committee on Ethics and Transparency the President in consultation with the Board may decide on following disciplinary actions:

- a) Written remark on improper behaviour
- b) Exclusion from the position of ICOH officer
- c) Exclusion from ICOH membership for a limited time
- d) Exclusion from the ICOH membership permanently.

The type of disciplinary action depends on the severity of the case in view of nature, duration and harm caused by the improper behaviour.

Every phase of the process is carefully documented in interest to protect right to information of the parties concerned.

During the investigation the President shall safeguard the appropriate protection of both the complainant and the suspected perpetrator and in general ensure that the matter is handled appropriately. ***If the Member is suspected of misconduct or violation, the presumption of innocence – being innocent until proven guilty – is a legitimate right of the accused.***

1. The allegation shall be provided to the President in writing providing description of the suspected misconduct or violation and presenting evidence on it.
2. The President will send the relevant documents to the Committee on Ethics and Transparency and asks for examination of the case.
3. The suspected person shall be informed on the action made by the President and on the grounds on which the examination has been asked for.
4. The suspected person has a right and the Committee on Ethics and Transparency has an obligation on hearing the suspected person on the case. The suspected person shall give his or her explanation in writing.
5. The Committee may hear also other persons or institutions relevant for the case. Also their statements shall be given in writing.
6. On the basis of its examination the Committee presents written conclusions on the case. The Conclusions include the following points:
 - a) Whether violation has taken place, i.e. whether ICOH regulations, ICOH Code of Ethics or International Codes of Research and Professional Ethics have been violated
 - b) How serious was the violation in terms of international ethical principles and principles of ICOH Code
 - c) Whether ICOH reputation as an independent professional organization has been affected?
 - d) Recommendation for action which may take the form of: no action, remark, temporary or permanent exclusion from Officer position or from the membership and, if needed, information to other bodies, authorities or institutions.
7. On the basis of the statement by the Committee on Ethics and Transparency, the President, after consultation with the Officers, will present the case to the Board and proposes necessary actions.
8. The Board may decide on the proposed action according to the rules stipulated by the Constitution Article 2 Section 7 and Bye-Law 17 (bis).

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| <ul style="list-style-type: none"> • If misconduct is suspected or accused, and evidence is presented, careful examination of the case will be initiated by the President of ICOH. |
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- Presumption of innocence is followed as in all legal processes in the democratic countries.
- The procedure for examination and action for suspected cases is presented by using the competence of the ICOH Committee on Ethics and Transparency.
- The suspected or accused has a right to be heard by the Committee of Ethics and Transparency, and in the cases of request of resignation from ICOH, by the Board
- The Board decides on necessary disciplinary actions as regulated in the Constitution and the Bye-Laws.

6. Summary: Ten principles of Good Association Practice

For a voluntary, independent professional organization like ICOH the reputation and image as a body with a high professional and ethical standard is a critical sustainability factor and the best asset for the membership. The more credible ICOH is in these respects, the more added value and professional support it can offer for the members. High reputation and high ethical standard are also a critical prerequisite for recruiting new members, both young and more advanced ones.

The independence, reputation and ethical standard are also important factors for ICOH collaboration with international and other allies and partners. The high ethical standard and credible reputation are also prerequisites for enjoying the officially recognized NGO status in the WHO and ILO.

The purpose of these guidelines is to guide ICOH and its governing bodies, officers and individual members in the appropriate conduct of good association practice in all activities which the association may undertake. It also describes the method for dealing with the possible deviations from good practices or cases of misconduct and guides in implementation of sanctions and other consequences on such practices.

The key principles of good association practice are listed as the following:

1. Promoting ICOH mission and occupational health as a discipline and profession
2. Exercising openness, democracy, transparency and participation in decision making
3. Respecting justice, equity, fairness, respect of fellow-members and seeking consensus
4. Respecting the ICOH Regulations and majority decisions.
5. Complying faithfully with the Regulations and following the ICOH Code of Ethics. Filling the Transparency Form, when required.
6. Committing to assignments and keeping the commitments
7. Paying the member fees in time
8. Contributing to the ICOH associational and professional activities
9. Protecting ICOH reputation as an independent international professional, non-political and non-profit NGO
10. Representing ICOH in ICOH-specific and other activities and environments in a professional and decent manner.

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