

MODIFIED BY BOARD OF DIRECTORS ON MAY 2024
APPROVED BY BOARD OF DIRECTORS ON FEBRUARY 2024

Code of Conduct

1. Purpose

This Code of Conduct supports the mission of the Orthopaedic Research Society (ORS), which is to advance musculoskeletal research worldwide. ORS can only meet this mission if it includes the voices of all members by providing a supportive, safe and welcoming environment for all, regardless of gender, sexual orientation, disability status, ethnicity, socioeconomic status, and religion.

This ORS Code of Conduct outlines our expectations for all those who participate in ORS meetings and activities, as well as the consequences for unacceptable behavior.

We expect all participants in ORS meetings and activities to create and maintain safe and positive experiences for everyone.

“Participant” in this policy refers to anyone present or participating in an official ORS program, meeting (from the time a participant arrives until they leave the event), or event, including staff, volunteer leaders, contractors, vendors, exhibitors, venue staff, members, and all attendees.

2. Expected Behavior

All participants at ORS meetings and activities are expected to

- Be respectful in their speech and actions
- Be mindful of their fellow participants

3. Unacceptable Behavior

Unacceptable behaviors for all participants include:

- intimidating, harassing, abusive, discriminatory, or demeaning speech or actions by any participant
- harmful or prejudicial verbal or written comments or visual images related to gender, sexual orientation, race, religion, disability, age, appearance, or other personal characteristics
- inappropriate use of nudity and/or sexual images
- deliberate intimidation, stalking or following
- sustained disruption of talks or other events
- unwelcomed physical contact

Unacceptable behavior also includes an indirect or direct threat of action against anyone who may report a complaint, and any indirect or direct retaliation associated with the reporting or resolution of a complaint per this Code of Conduct.

4. Consequences of Unacceptable Behavior

Unacceptable behavior from any participant at an ORS meeting or activity may lead to disciplinary actions.

If a participant engages in unacceptable behavior, ORS may take action it deems appropriate, including removal from the ORS meeting or activity (without refund) at which the unacceptable behavior occurred. Egregious violations will result in more severe sanctions which may include termination of membership and referral to police/legal authorities. The Code of Conduct Committee reserves the right to remove a participant from an ORS meeting or any ORS sanctioned activity (without a refund of registration costs) prior to completion of a full investigation if the ability to maintain a safe environment for all members is deemed to be at risk.

5. Reporting Unacceptable Behavior

Unacceptable behavior may be reported by any individual with direct knowledge of the incident. This could include the victim(s), witness(es), and/or the alleged aggressor(s). Reporting may be done anonymously, though that may impact the ability of the ORS to investigate the complaint expeditiously. Reporting should be done as soon as possible after the alleged incident.

To report unacceptable behavior, the following online form should be completed, with as much specific information as possible: <https://ors.memberclicks.net/complaint>. Alternatively, or in addition, an email can be sent to complaint@ors.org. Lack of complete information should not discourage reporting of unacceptable behavior.

If information about an alleged incident is received by an individual second-hand (such as other ORS members, or ORS staff) from a primary source (such as a victim or witness), that individual is encouraged to:

1. Direct the primary source to report the incident through the online form or via the email address above; or
2. Fill out the online form or via the email address above on behalf of the primary source, respecting the confidentiality of the primary source if requested.

6. Acting on a Report of Unacceptable Behavior

Once a complaint has been received through the online form or direct email as described above, it will be reviewed by the Code of Conduct Committee. All reports will be treated confidentially or anonymously to the extent requested by the reporter, within the ability of ORS to complete the investigation and determine the next steps. Specifically, confidentiality will *not* be maintained if safety or law requires otherwise.

When a complaint is not filed anonymously, acknowledgement that the complaint has been received and is under review will be given to the reporter. It is generally expected that the acknowledgement will be sent within one week of the reporting date. Every effort will be made by the ORS to resolve each complaint in a timely manner, and to provide a closure response to the reporter at the appropriate time.

7. Retaliation

Any retaliatory behavior at any point during the reporting and resolution of any complaint will be deemed a breach of this Code of Conduct as per section 3 and will be subject to consequences as per section 4.

8. Code of Conduct Committee

Details on the Code of Conduct Committee can be found in the BOD Committees Document. If committee members are named in the complaint, alternate committee members will be appointed to serve as reviewers.

9. Appeals Committee

Details on the Appeals Committee can be found in the BOD Committees Document under Ad Hoc Committees.

10. Additional Considerations for ORS Board Members and Volunteer Leaders

In addition to all prior content in this Code of Conduct, ORS Board Members and other volunteer leaders (Section Leaders, or Council, Committee, or Task Force members) are expected to demonstrate the following behavior:

1. Faithfully abide by the Articles of Incorporation, By-laws and the Policies and Procedures Manual.
2. Exercise reasonable care, good faith, and due diligence in society affairs.
3. Disclose information that may result in a perceived or actual conflict of interest.
4. Disclose any non-public information that would impact Board decision-making.
5. Remain accountable for prudent fiscal management to society members, the Board, and Nonprofit sector, and where applicable, to government and funding bodies.
6. Maintain professional courtesy, respect, and objectivity in all society activities.
7. Strive to uphold those practices and assist other members of the Board in upholding the highest standards of conduct.
8. Exercise the powers invested for the good of the ORS rather than for personal benefit, or that of the organization they represent.
9. Respect the confidentiality of sensitive information known due to Board service.
10. Respect the diversity of opinions as expressed or acted upon by the Board, committees, and membership, and formally register dissent as appropriate.
11. Promote collaboration and cooperation among members.

Further, each volunteer leader is expected to participate in all meetings of the respective body. All volunteer leaders must give prior notice of an absence to the President, Council, Committee or Task Force Chair. Except in unusual circumstances, prior notice should be at least 24 hours before the scheduled meeting. Should a Board, Council, Committee or Task Force member be unable to attend at least 50% of meetings in a year, this behavior will be considered a formal resignation

from the Board, Council, Committee, or Task Force.

All Board Members and other volunteer leaders are expected to abide by the following conflict of interest agreement:

I understand that as a member of the Board of Directors or a volunteer leader within the ORS, I must observe certain fiduciary duties of care to the Society. I agree not to engage in actions that may constitute an actual, apparent, or potential conflict of interest with the mission and activities of the ORS and will disclose to the ORS any such conflicts of interest and any business, financial, personal, and organizational interests and affiliations which are or could be construed to be a conflict of interest. I further agree to recuse myself from participation and deliberation on any matters related to a person or entity with whom I have any potential conflict of interest as described above. Specifically for members of the Board of Directors, I further understand that if I do not voluntarily recuse myself when a conflict arises, the Board of Directors can mandate my recusal by a majority vote.

Code of Ethics

PREAMBLE

This Code of Ethics supports the mission of the Orthopaedic Research Society (ORS), which is to advance musculoskeletal research worldwide. ORS can only meet this mission if it is viewed by the scientific and medical communities and by the general public as an unbiased organization whose activities are managed with utmost integrity. The ORS encourages members to participate actively in other professional societies and to develop mutually supportive collegial relationships with industry. However, certain activities may give the appearance of a conflict/duality of interest.

To ensure that the ORS reputation is maintained, this code provides guidelines to be followed by the members of the ORS, by the leadership of ORS, and by the editors of the *Journal of Orthopaedic Research* and *JOR Spine*, in conducting activities that support the Society's scientific and educational mission.

The Code of Ethics of the ORS applies to the entire membership of the Society and is enforceable solely by the Society, for which membership means any Society member in any class of membership.

ASPIRATIONAL ETHICS FOR MEMBERS OF THE ORTHOPAEDIC RESEARCH SOCIETY

Ethical conduct extends beyond what is covered by this code, which consists primarily of enforceable rules about conflicts of interest. Ethics is not just about enforceable rules, but also about ideals and aspirational goals. Members of the ORS, as an integral part of the musculoskeletal community, should aspire to think and act ethically. Goals to consider both personally and professionally include:

- demonstrating integrity;
- respecting each individual ORS member's rights, dignity, culture(s), and identities;
- striving for professional and scholarly competence in research;
- disclosing information in publications, podium presentations, and posters necessary to satisfy peer review, experimental reproduction of the study, and the ability to build upon another's work;
- promoting the sustainability of the ORS through participation and leadership in the Society; and,
- engaging in good citizenship activities, including:
 - regular attendance at ORS meetings,
 - participation in peer-review of submitted abstracts and manuscripts,
 - collaborative research and professional activities,
 - scientific cordiality when interacting with fellow members of the ORS; and sharing of data, reagents, and experimental techniques.

ETHICS POLICY FOR THE LEADERSHIP OF THE ORTHOPAEDIC RESEARCH SOCIETY

ORS leaders are expected to act in the interests of the Society and not for personal or third-party gain, promotion of commercial interests, or financial enrichment. This policy identifies and facilitates the resolution of conflict/dualities of interest. ORS leaders should engage in activities that are free from real or apparent conflicts/dualities of interest and from commercial or external influence or bias. Under this Policy, ORS leaders are discouraged from: (1) using their positions and status to promote commercial interests; (2) participating in decisions and activities where an outside interest affects the leader's loyalty to the Society; and 3) participating in decisions and activities that could affect the value of a commercial enterprise in which the leader, family member or close personal acquaintance has a financial interest.

These ethics policy and guidelines, as defined in the Code of Conduct, define for the ORS Board of Directors and other volunteer leaders including Editors and Associate Editors of ORS publications and the Editorial Board of the *Journal of Orthopaedic Research* and *Journal of Orthopaedic Research Spine*, and representatives of ORS to other societies:

1. What constitutes a conflict/duality/duality of interest; and
2. How to resolve or manage a conflict/duality or duality of interest with respect to other professional societies, journals, industrial and pharmaceutical concerns and external entities.

Definition of Terms

Conflict/Duality of Interest; Apparent Conflict/Duality of Interest

A conflict/duality of interest is defined as a situation in which an individual decision-maker has any impediment to being impartial and loyal, such as: (1) a personal, professional, business, or volunteer position, responsibility, or interest; or 2) a conflicting duty to another entity or person, where the individual's allegiance may be split between the ORS and the other entity or person. An apparent conflict/duality is defined as a situation or relationship that may cause an observer to question whether an impediment to impartiality exists.

Conflict/Duality Resolution

For all ORS members, in the event of any actual or apparent conflict/duality of interest related to service on behalf of the ORS, the individual must:

1. Publicly disclose (or have previously disclosed) the conflict/duality before the related discussion takes place;
2. Recuse themselves from at least part of the discussion, when their insights on the topic may be influenced by the outside relationship;
3. Recuse themselves from voting on the related matter when their decision making may be influenced by the outside relationship.

The Policy's Intent and Limitations

It is the intention of the ORS that actual and apparent conflicts and duality of interest and commercial bias be avoided when any leaders of the ORS act, speak, represent, and participate in decision-making and policy generation on behalf of the ORS.

This policy does not govern ORS members in their roles as scientists, physicians, researchers, medical professionals, and administrators external to the ORS. Several professional societies, federal agencies, and other organizations have disseminated ethical guidelines available to ORS membership governing the conduct of research, the protection of human and animal subjects, and the care of patients.

ORS Process

These principles are formulated in concordance with the goals defined in the ORS Mission Statement and in the Bylaws of the ORS.

This policy is implemented through the completion and regular updating of conflict/duality of interest/disclosure forms by everyone who is elected or appointed to a leadership position in the ORS, including representing ORS or serving on an ORS committee. The conflict/duality of interest/disclosure forms shall be submitted to the CEO for distribution to the Board of Directors. The CEO will compile a list of disclosures, and the Ethics Committee and CEO will review the list against the Board Meeting agenda to determine possible conflicts/dualities. This list of disclosures with specific details omitted will be shared with the Board at each Board Meeting, and, upon request, with members of the ORS. The CEO is charged with collecting the forms and retaining them in the ORS Business Office. As a general rule, the specific information contained therein should not be made public. Only the Secretary, who records the disclosures in the Board Meeting minutes, and when necessary, the Ethics Committee, shall be privy to the declarations.

Any conflict/duality identified by the individual, the CEO, or the President shall be resolved or a plan of management be developed prior to discussion and determination of any such topic or issue.

The ORS encourages the involvement of industry representatives and members with ties to industry in its governance activities. However, certain volunteer leadership positions require decisions about the allocation of ORS time, priorities, and resources that can affect the interests of industries in the musculoskeletal field. These decisions include confidential information about corporate fundraising, program topics and speaker selection, emerging technologies, and long-term budgeting. Given the potential conflict between these interests, it is important that the ORS ensures the declaration of conflicts of interests, and that upon any perception of conflict of interest the industry member declare such conflict and/or remove themselves from all related discussions and from the decision-making process.

I. ORS Executive Committee

The ORS Executive Committee includes the President, the First and Second Vice Presidents, the

Immediate Past President, the Secretary, and the Treasurer. Consistent with their duties, their decisions and actions during their tenures must be guided by the best interests and mission of the ORS. As the Executive Committee, these individuals should engage in activities that are free from conflicts/dualities of interest and from commercial or external influence or bias. To these ends, the members of the Executive Committee are expected to follow this Policy.

1. Individuals who are members of the ORS Board of Directors or nominees for the Board of Directors who serve as leaders in other professional societies should consult with the Ethics Committee to determine whether concomitant service to both organizations would constitute or appear to constitute a conflict/duality of interest for ORS.
2. ORS Executive Committee members should not serve as course directors, moderators, chairs, or speakers for commercially supported symposia or CME activities that are held in conjunction with, but outside, the official program of the Annual Meeting of the ORS.
3. During their term, the ORS Executive Committee should consult with others, including the Ethics Committee, on the significance of actual or apparent conflicts/dualities or biases arising from work with corporate entities in relation to their primary roles as the senior leadership of the ORS.
4. The ORS Executive Committee should not identify themselves as such when they are primarily representing their university, laboratory, research group, other affiliation, or self to the media, press, Congress/other legislative bodies or NIH/other funding agencies, or when participating in commercially supported symposia or CME activities.
5. ORS Executive Committee members are required to maintain the confidentiality of information limited to the ORS Board of Directors, its committees, sections, and staff.
6. In view of the policy-making and fiscal decisions rendered by the members of the ORS Executive Committee, they must review the agendas of meetings in advance so that they can fully declare and disclose verbally any actual or apparent conflict/duality of interest related to issues that come before the Board of Directors. After disclosure and as directed, members of the Executive Committee will recuse themselves from discussions in person and in conference calls and from voting on any such issues. In addition, after disclosure and as directed, members of the Executive Committee shall recuse themselves from discussion of and voting on issues that occur spontaneously (e.g., as new business) for which they have any actual or apparent conflict/duality of interest. Executive Committee members are expected to self-identify these issues and to comply with direction from the Board of Directors.
7. Members of the Executive Committee are also charged with following the guidelines provided for Board members below.

II. Board of Directors of the ORS

The powers of the Board of Directors are to manage the property and affairs and determine the policies of the ORS. Board members are elected to represent all constituents of ORS membership and should strive during their tenure on the Board to further the mission and goals of the ORS without external influence and conflict/duality of interest.

To these ends, Board members and nominees for the Board of Directors are expected to follow this Policy.

1. Individuals who are Board members of the ORS and are officers or nominees for office in other societies should consult with the Ethics Committee to determine whether concomitant service to both organizations would constitute or appear to constitute a conflict/duality of interest for ORS.
2. Board members of the ORS, like all ORS Officers, Committee chairs and members, members of ORS sections, and staff, are required to maintain the confidentiality of information limited to the ORS Board of Directors, committees, sections, and staff.
3. In view of the policy-making and fiscal decisions rendered by the Board, Board members must review the agendas of meetings in advance so that they can fully declare and disclose verbally any actual or apparent conflict/duality of interest related to issues that come before the Board. After disclosure and as directed, Board members shall recuse themselves from discussions in person and in conference calls and from voting on any such issues. In addition, after disclosure and as directed, Board members shall recuse themselves from discussion and voting on issues that occur spontaneously (e.g., as new business) for which they have any actual or apparent conflict/duality of interest. Board members are expected to self-identify these issues and to comply with direction from the Board.
4. During their tenures, the Board members of the ORS should consult with others, including the Ethics Committee, on the significance of actual or apparent conflicts/dualities or biases arising from work with corporate entities in relation to their primary roles as the senior leadership.

III. Chairs and Members of Committees, Editorial Board(s), and Sections

The committees, sections, and editorial boards of the ORS and its publications carry out the work of the ORS on behalf of the membership. The distinct functions of the committees, sections, and editorial boards are intended to address the broad mission of the ORS: to promote excellence in research and education, to integrate basic and clinical science in the field of musculoskeletal research, and to facilitate the translation of research into clinical practice for the betterment of human health.

1. Chairs and members of committees, sections, and editorial boards must assure that they act in these roles in a manner free from commercial bias and that they resolve or have an approved management plan for any conflict or duality of interest or disclose them and then recuse themselves from related deliberations and voting.
2. In calling meetings or conference calls to order, committee chairs and section leaders must regularly request disclosure from members regarding any items on the agenda of the meeting or conference call for which they have an actual or apparent conflict or duality of interest. Members shall recuse themselves from voting on and discussing such issues. In addition, chairs and members of committees, sections, and editorial boards shall recuse

themselves from voting on, and from discussion of, issues that occur spontaneously (e.g., as new business) for which they have any actual or apparent conflict/duality of interest.

3. Program Committee chairs must assure that all CME educational activities are planned free of conflict/duality or duality of interest and commercial bias or influence.
4. Editorial Board members must strive to ensure that the *Journal of Orthopaedic Research* and *JOR Spine* are free from commercial influence and unresolved conflict/duality of interests and that it reflects high-quality, peer-reviewed science and a balanced view of therapeutics available to treat human diseases.
5. Nominations for awards and/or service as Officers or on the Board of Directors or committees must be reviewed free from personal and external bias and conflict/duality or the appearance of a conflict/duality of interest. To that end, all committee members should disclose to the respective Committee or the Board potential duality or conflict/duality of interest, which includes proposing an individual for nomination, providing a letter of recommendation, and/or having a close professional or personal relationship with the nominee. The member with a conflict/duality or the appearance of a conflict/duality of interest should recuse herself/himself from discussions regarding the nominated individual as well as from the vote involving that award or office. A member of either the Awards and Recognition or Nominating Committee should not serve if they are being nominated for an award or office, or Board or committee service, respectively.
6. Chairs and members of committees, sections, and editorial boards should maintain the confidentiality of information limited to the chairs, committees, editorial boards, sections, and staff.

IV. Nominees for Committee Chairs and Members of Editorial Board(s)

1. All members of the ORS should ensure the Nominating Committee and the Board of Directors that they can act on behalf of ORS, free from bias or any unresolved or unresolvable conflicts/dualities of interest, prior to accepting nominations for service as chairs or members of committees, sections, and/or editorial board members and associate editors of the *Journal of Orthopaedic Research* or *JOR Spine*. All actual or apparent conflicts/dualities of interest must be disclosed prior to accepting service as a chair or member of a committee, section, or editorial board, or as an associate editor.

V. Representatives of the ORS to Other Organizations, Government Agencies, and Commercial Entities

1. Representatives of the ORS to other organizations and entities should ensure that they present the mission and policies of the ORS in a balanced manner, free from conflict or duality of interest and commercial influence.
2. Representatives of the ORS should maintain the confidentiality of information limited to ORS, its Board of Directors, committees, sections, and staff.

VI. Nominees for Representatives of the ORS to Other Organizations, Government Agencies, and Commercial Entities

1. All members of the ORS should assure the Board of Directors that they can act on behalf of the ORS, free from bias or unresolvable conflict/duality of interest, prior to accepting nominations to serve as representatives of ORS to other organizations or groups.

VII. Editor(s) and Associate Editors of the *Journal of Orthopaedic Research*, *JOR Spine*, and Other ORS Publications

1. Editors and Associate Editors working on behalf of the ORS should uphold the highest principles of scientific objectivity in conducting the review and publication of submissions to the *Journal of Orthopaedic Research*, *JOR Spine*, and other ORS enduring materials.
2. Reviewers and authors of editorials, invited reviews, commentaries, and other materials in the *Journal of Orthopaedic Research*, *JOR Spine*, and other ORS publications shall be, with the best possible effort, selected on the basis of scientific and clinical expertise, without external influence or commercial bias.
3. Editors and Associate Editors of the *Journal of Orthopaedic Research*, *JOR Spine* or other ORS publications shall strive for objectivity in the review and decision-making process concerning submitted contributions. Their decisions shall be, with the best possible effort, free from commercial bias, external influence, and unresolved conflict/duality of interest. If an actual or apparent conflict or duality of interest exists, then an Editor and/or Associate Editor must disclose the conflict/duality and then excuse herself/himself from any decision-making regarding the specific submission. Responsibilities for such a submission will be delegated to other appropriately qualified members of the Editorial Board or another Associate Editor.
4. Editors and Associate Editors shall work with the publisher of the *Journal* to ensure that full disclosure of industrial, pharmaceutical, and financial relationships involving authors will be obtained, as these relationships may have an impact on views derived by the readers of the published manuscript.
5. Associate Editors must disclose if they are also serving as an Editor or Associate Editor for other journals in the field.
6. A member elected to the Presidential line must resign from Associate Editor duties for ORS journals because the role has hire/fire power over the journal editor-in-chief

VIII. Nominees for Editor(s) and Associate Editors of the *Journal of Orthopaedic Research* and Other ORS Publications

1. All members of the ORS should assure the Board of Directors and the Publications Committee that they can act on behalf of the ORS, free from bias or conflict/duality of interest, prior to accepting nominations for editorship and associate editorship of the *Journal of Orthopaedic Research*, *JOR Spine*, and other publications of the ORS.

IX. Ethics Committee

Details on the Ethics Committee can be found in the BOD Committees Document.

X. Appeals Committee

Details on the Appeals Committee can be found in the BOD Committees Document under Ad Hoc Committees.

Whistleblower Policy

This Whistleblower Policy of the ORS: (1) encourages volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the ORS (2) specifies that the ORS will protect the person from retaliation; and (3) identifies where such information can be reported.

1. **Encouragement of reporting.** The ORS encourages complaints, reports or inquiries about illegal practices or serious violations of the ORS policies, including illegal or improper conduct by the ORS itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the ORS has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment through the available reporting structures described in the Ethics Policy. This policy is not intended to provide a means of appeal from outcomes provided by those other mechanisms.
2. **Protection from retaliation.** The ORS prohibits retaliation by or on behalf of the ORS against staff or volunteers for making good faith complaints, reports, or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken or not substantiated. The ORS reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports, or inquiries or who otherwise abuse this policy.
3. **Where to report.** Complaints, reports, or inquiries may be made under this policy on a confidential or anonymous basis using the methods described in the Code of Conduct for reporting concerns. They should describe in detail the specific facts demonstrating the bases for the complaints, reports, or inquiries. They should be directed to the ORS Ethics Committee. The ORS will conduct a prompt, discreet and objective review or investigation. Volunteers must recognize that the ORS may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.