



# **Empower Federal Credit Union Policy:**

## **ABUSIVE MEMBER POLICY**

## A. Purpose and Overview

The Empower Federal Credit Union **Abusive Member Policy** (the **Policy**) protects the employees and members of Empower Federal Credit Union (may also be referred to as **Empower FCU** or **EFCU**) from abusive members or other individuals engaging in abusive behavior.

## B. Summary of Policy

The Policy illustrates the kinds of conduct that Empower FCU considers abusive and lists sanctions that may be imposed against abusive members or other individuals. The Policy establishes a **Member Incident Committee** (hereafter referred to as the **MIC**) for determining whether abusive conduct has occurred and the appropriate sanctions to be imposed, and it describes the process through which such decisions are made.

## C. Policy

### I. Abusive Behavior

1. Abusive behavior includes but is not limited to the types of conduct listed below. This list is illustrative and is not to be considered as limiting the definition of abusive behavior.

- a. Any type of harassment, including age, sexual, ethnic, or racial harassment.
- b. Making graphic or degrading comments about an individual or his/her appearance.
- c. Engaging in offensive or abusive physical contact.
- d. Making false, vicious, or malicious statements about any Empower FCU employee or member or about EFCU and its services, operations, policies, practices, or management.
- e. Using profane, abusive, intimidating, or threatening language towards Empower FCU employees or members or in general on EFCU premises.
- f. Making or suggesting threats of bodily harm or property damage to an employee or their family members or to a member or their family members.
- g. Attempting to interfere with Empower FCU employees in the performance of their duties or with members conducting transactions with EFCU.
- h. Any posting, defacing, or removing of notices or signs on Empower FCU premises or writing on EFCU bulletin boards or walls without written authorization from EFCU management.

- i. Indecency on Empower FCU premises, over the phone, or by any other means of communication.
- j. Deliberate or repeated violations of security procedures or safety rules.
- k. Possession, use of, or being under the influence of drugs or alcohol on Empower FCU premises.
- l. Possession of weapons of any kind on Empower FCU premises, except for on-duty law enforcement officers or security officers.
- m. Internet, e-mail, website, homepage misuse or abuse, including sending threatening e-mails and any form of intimidation or threats through the Internet.
- n. Hacking or using any of Empower FCU's electronic resources in any way other than to do legitimate business with EFCU.
- o. Using the Empower FCU phone or e-mail system to threaten or harass any EFCU employee or member or to perpetrate any crime.

## II. Member Incident Committee

- 1. Reports of abusive behavior will be handled by the **MIC**.

## III. Sanctions

- 1. If an Empower FCU member or any other person engages in any abusive conduct toward an EFCU employee or another member that is conducting EFCU business or is on EFCU property, the **MIC** is authorized to impose sanctions against such member or other person.
- 2. Action against an abusive member or other individual may be taken when two thirds or more of the Committee members involved vote in favor of such.
- 3. Should it be decided that action be taken, any combination of the following sanctions may be imposed against the member or other person who has engaged in abusive conduct:
  - a. Denial of all services other than the right to maintain a share account and the right to vote at annual meetings and special meetings.
  - b. Denial of services that involve personal contact with Empower FCU employees.
  - c. Denial of access to Empower FCU premises.
  - d. Any other action deemed necessary that is not expressly precluded by the Federal Credit Union Act, the NCUA Rules and Regulations, or Empower FCU's bylaws.
- 4. In addition to any action taken by Empower FCU, abusive behavior of any nature may be reported to the local authorities.

## IV. Member Expulsion

1. In accordance with the Federal Credit Union Act (FCUA Part 701, Appendix A, Article XIV), where there is cause, a special meeting of the **Board of Directors** (the **BOD**) may be called to determine whether a member should be expelled from membership.

2. The member must have a reasonable opportunity to be heard before a vote on expulsion may be held.

3. A member may be expelled for cause by a two-thirds majority vote of a quorum of the **BOD**.