
ALOHA PACIFIC FCU and its Divisions

1151:

Member Conduct and Denial of Services

Revised: 2/07/2018

Approved: 2/21/2018

General Policy Statement:

The Credit Union shall protect its employees, volunteers, members, and itself from abusive members and conduct.

The Board of Directors believes that all members and employees should be able to conduct business without fear of harassment or abusive conduct as a result of their membership or employment with the Credit Union. The Board of Directors is committed to treating the Credit Union's employees with the respect they deserve and is committed to endeavoring to maintain a work place free from abusive conduct.

This policy shall be reviewed on an as needed basis.

The word 'member' will heretofore be defined as a member or their agent.

Guidelines:

1. **AUTHORITY.** The Board of Directors designates the President/CEO or their designee, at their sole discretion, to impose sanctions against any member who engages in any type of abusive conduct, such as:

1. A member's abusive or threatening behavior, in any form, including verbal, written or physical;
2. Causing the Credit Union a loss or frivolous expense;
3. Intentionally or otherwise perpetrating real or potential fraud on the Credit Union; or
4. Any other reason that poses a safety or soundness threat to the Credit Union.

Further examples of abusive behavior are listed at the end of this policy.

2. **RESTRICTION OR DENIAL OF SERVICES.** Sanctions that may be imposed against a member who engages in abusive conduct include:

1. Denial or restriction of any and all Credit Union services other than the right to maintain a Regular Share account and the right to vote at annual and special meetings. Such behavior and conduct by a member may result in the closure of respective Credit Union accounts, termination of services and physical removal from a facility or event.

Further examples of service denials and restrictions are listed at the end of this policy.

2. Denial of services which involve personal contact with Credit Union employees.

3. Denial of access to Credit Union premises and shared-branching network and revocation of shared branching privileges.
4. Taking any other action deemed necessary under the circumstances that is not expressly precluded by the Federal Credit Union Act, the National Credit Union Administration Rules and Regulations, APFCU's Bylaws, or other applicable law.
5. Obtaining a restraining order, or other form of protective order, to legally prohibit the individual from entering Credit Union property or participating in a Credit Union event.

Applicable members may be provided with an opportunity (as deemed appropriate by senior management) to cease the harassing behavior and to treat aforementioned individuals with respect.

3. **NOTIFICATION.** The Credit Union will inform members in writing when services may be denied or restricted.
4. **REINSTATEMENT AND APPEAL.** The Credit Union will allow a member to request, in writing, a reinstatement of services from the supervisory committee or designee. Such a request may, at the discretion of the Committee, be supplemented by testimony either in person or in writing and will be considered by the Committee. A member may request a final review by the Board of Directors. Decisions made by the Board will be final and will be recorded in the Credit Union's records.

Note: Special consideration may be provided to members in the loan modification program.

5. **RECOMMENDATION TO EXPEL.** Member may be recommended for expulsion.
6. **NOTIFICATION TO MEMBERS OF POLICY.** The Credit Union shall notify all members of this Policy and upon request, provide access to this Policy to members.
7. **NOTIFICATION TO BOARD.** The President/CEO, or their designee, will notify the Board of Directors of significant actions taken.

EXAMPLES OF ABUSIVE CONDUCT:

For purposes of this policy, “abusive conduct” includes, but is not limited to, any of the following conduct:

- Any type of harassment, directly, indirectly, verbal, written or implied, including sexual, ethnic, or racial harassment;
- Racial or ethnic slurs;
- Engaging in sexual conduct;
- Sexual flirtation, overtures, advances or propositions;
- Displaying sexually aggressive objects or pictures;
- Engaging in verbal or written abuse of a sexual, racial or ethnic nature;
- Making graphic or degrading comments about an individual or their appearance;
- Engaging in offensive or abusive physical contact;
- Making false, vicious or malicious statements verbally, or in writing, about or directed at any Credit Union employee, officer or board member;
- Making false, vicious or malicious statements verbally, or in writing, about Credit Union services, operations, policies, practices, or management;
- Using profane, abusive, intimidating, or threatening language verbally, or in writing, in any form of media towards the Credit Union or any employee, officer, board member, or fellow member;
- Attempting to coerce or interfere with Credit Union employees in the performance of their duties at any time;
- Conducting or attempting to conduct or engage in any fraudulent, dishonest or deceptive activity of any kind involving Credit Union employees or services, which shall include
 - using personal accounts for business or commercial purposes,
 - perform transactions and services for or on behalf of third parties
 - granting third party access, including passwords and/or other authorizations, to online banking, credit and debit cards, bill payments, and any other related credit union offerings and transactions;
- Attempting to interfere in any way with the delivery of Credit Union services or information to its members;
- Any posting, defacing, or removing of notices or signs on Credit Union premises or on the Credit Union’s website;
- Writing on Credit Union’s bulletin boards without management authorization;
- Appropriation or misappropriation of Credit Union funds, property, or other material proprietary to the Credit Union;
- Immoral conduct or indecency on Credit Union premises or at Credit Union sponsored events;
- Deliberate or repeated violations of security procedures or safety rules;
- Possession, use or being under the influence of illegal substances on Credit Union premises;
- Fighting or possession of weapons of any kind on Credit Union premises or at Credit Union sponsored events;
- Threatening the safety of employees or members, directly or indirectly thru inappropriate or criminal behavior(s).

EXAMPLES OF SERVICE DENIAL AND RESTRICTION:

- Services to the applicable member shall be suspended on all additional joint accounts where the member is named as an account owner.
- If the member has an existing Share Draft (checking) Account, Christmas Club, Money Market Account, Certificate or any other type of account offered by the credit union, the accounts will be closed and all available funds transferred to the Regular Share (savings) account.
- All other services will be suspended including, but not limited to, all ATM and Debit Cards, Phone Response system and the ability to obtain loans or advances on existing loans.
- The members general check cashing rights shall be suspended and the member may only be allowed to deposit checks into their account, which shall be subject to a hold of one business day, or for such period as permitted by current law or regulation.
- The Credit Union shall cease distribution of all marketing materials to the individual unless such distribution is necessary to comply with a law or regulation.
- All other Credit Union services offered now and in the future shall be suspended if the Credit Union is legally authorized to do so.
- Loans products and services may be modified or restricted subject to the terms of the loan agreement, as well as federal and state law.