



DISCIPLINARY ACTION PROGRAM
Coating Inspection Training and Certification
for the Bridge Industry

DISCIPLINARY ACTION PROGRAM COATING INSPECTION TRAINING AND CERTIFICATION FOR THE BRIDGE INDUSTRY

I. Introduction

A. Background

The Disciplinary Action Program (DAP) and administrative procedures are intended to strengthen the reputation of the Coating Inspection Training and Certification for the Bridge Industry Program and thus make certification more valuable. Inspectors who maintain certification standards benefit from the increased recognition and opportunities that come with being part of a program with high standards.

The Disciplinary Action Program and administrative procedures establish procedures and rules for: issuing warnings to inspectors; putting inspectors on probation; suspending, revoking, or denying certification of inspectors about whom critical faults in safety, workmanship, ethical practice, have been reported and verified.

B. Scope and Use

This procedure defines the process for disciplining inspectors for infractions incurred under the Coating Inspection Training and Certification for the Bridge Industry's Program. This procedure is used by the certifying agency when an infraction is suspected. It is also used by inspectors to respond to and appeal disciplinary actions assessed by the certifying agency.

The procedure includes the following topics:

- Definitions of infractions and disciplinary actions
- Steps in the process
- Enforcement
- Notes

II. Definitions of Critical Faults

General

Infractions are actions associated with inspector activities, which violate the requirements of this document. Infractions are classified as serious or severe.

A. Types of Critical Faults

Serious - A serious fault can result from the following events:

1. Safety

A pattern of substantiated, reliable, unsolicited reports (e.g., published accounts) of an inspector's disregard for his own personal safety. A pattern is defined, in this instance, as two separate instances in a 12-month period.

2. Quality of Work/Service

Failure to fully document inspection results as required by the facility owner.

Severe - A severe infraction can result from the following events

Ethical Practice

- a. Illegal business practices of the inspector if he/she owns an inspection firm, such as, but not limited to, falsification of certified payroll, or systematic violation of labor or tax laws.
- b. A substantiated report of ethical practice violations by any inspector on a project such as acceptance or offering of a bribe.
- c. Fraud, as documented.
- d. Altering any reports or documents on a project, as documented by facility owner or contractor or certifying agency.
- e. Misrepresentation of information required for certification, as documented by certifying agency.

III. Definitions of Disciplinary Actions

A disciplinary action is action taken as a result of confirmation of infractions (faults) by the inspector. The four types of disciplinary action are Warning, Probation, Suspension, and Revocation.

Warning - The inspector is notified that a serious infraction has been reported and verified and that additional infractions will trigger further disciplinary action. A warning remains in effect for one year, unless probation, suspension, or revocation of certification supersedes.

Probation - The inspector is notified that multiple serious infractions have been reported and have been verified. If the suspension lasts six months, the inspector will have to follow the procedures for reinstatement in "Suspension" below.

Suspension - The inspector is notified that, based on the SSPC administrator's verification of a reported severe infraction, his/her certification will be suspended for a minimum of six months.

Revocation - The inspector is notified that, based on the SSPC administrator's verification of multiple reported severe infractions, his/her certification will be revoked for a minimum of two years.

IV. Triggers for Disciplinary Actions

Infractions in safety, workmanship, or ethical practice will trigger disciplinary action. "Severe," critical faults will, in general, trigger the harshest disciplinary actions, whereas "serious," faults will trigger milder disciplinary actions. However, the impact of reported critical faults is cumulative, i.e., if multiple "serious" faults are reported, this will also trigger harsh disciplinary action. And if more than one mild disciplinary action is issued in a given time period (e.g., a year), this will trigger harsher disciplinary actions.

Type of Critical Fault	Disciplinary Action
Serious	Warning
Multiple Serious	Probation
One Severe	Suspension
Multiple Severe	Revocation

V. Process for Discipline

This section delineates the steps for the discipline process, beginning with first receipt of information by SSPC to resolution. Not every step is required for every inspector undergoing the discipline process. The sequence of steps is as follows:

- A. SSPC receives the initial information or allegation
From owner documents, phone calls, written information, or other means of communication, SSPC receives information or allegations that an inspector has violated the Disciplinary Action Program. This information will also be accepted from anonymous sources. The allegation must be supported with enough information in order for SSPC to conduct a preliminary inquiry. Allegations without adequate information will be disregarded.
- B. SSPC conducts a preliminary inquiry
SSPC will attempt to confirm the accuracy of the information. If the allegation cannot be substantiated, it will be disregarded.
- C. SSPC notifies the inspector of suspected infraction and the violation of the DAP
If SSPC substantiates the allegation, the inspector will be notified in writing that an infraction has occurred and that SSPC has issued a disciplinary action under the DAP.

- D. Inspector right to appeal impending action
Once the inspector has been notified, the inspector may appeal the decision or action of SSPC. Within 10 working days of official notification of an impending disciplinary action, submit evidence (e.g., affidavits) to SSPC showing that reported infraction, in fact, did not occur. Failure to appeal within the 10 working day period will result in automatic issuance of the proposed disciplinary action.
- E. SSPC affirms the information and that the infraction exists
SSPC will evaluate the appeal within 30 days of its receipt.
- F. Inspector requests informal conference
If SSPC rejects the first appeal, the inspector has the right to request an informal conference with SSPC at SSPC headquarters, within 15 working days of notification of rejection. At this conference, the inspector may present additional evidence supporting his/her appeal.
- G. SSPC responds to informal conference
SSPC may find in favor of the inspector or deny the inspector's appeal. SSPC will make every effort to render a decision within 30 calendar days after the informal conference.
- H. Arbitration
If the foregoing steps fail to resolve the dispute, a mutually agreed upon arbitration panel, consisting of three persons with expertise in the protective coatings industry (one person chosen by the inspector, one by SSPC, and one agreed upon by both parties) will convene to hear evidence. These will be owners. Both parties must agree to selection of panel members within 15 working days after denial of appeal. The arbitration panel must convene to render a decision by simple majority no later than 15 working days after selection. If the arbitration panel finds for the inspector or makes a decision that does not find in favor of either side, i.e., a compromise decision, the cost of all fees and expenses associated with convening the arbitration panel will be shared equally by the inspector and SSPC. If the panel finds in favor of SSPC, the inspector will be responsible for payment of all fees and expenses.

VI. Enforcement

- A. General
The disciplinary action will become effective within two business days of the formal notification to the inspector of the resolution.
- B. Notification About Inspectors
Listed under each type of disciplinary action are the notifications that SSPC will issue following that disciplinary action:
 - a. **Warning and Probation** - Issued to a certified inspector
 - 1. Inspector
 - 2. SSPC Administration
 - b. **Suspension and Revocation** - Issued to a certified inspector
 - 1. Inspector
 - 2. SSPC Administration
 - 3. "Active" facility owners, i.e., those known by SSPC to be currently engaged in working with the inspector.
 - 4. SSPC BOG
 - 5. JPCL and SSPC Online (web site), identifying inspector and inspector's employer.

SSPC CERTIFIED INSPECTOR PERFORMANCE EVALUATION FORM

Please evaluate the inspector for your project only:

Project No. _____ Dates on Site _____ through _____

Name of Inspector _____

Owner Representative on Job _____

I. Safety

<ul style="list-style-type: none"> • Inspector meets safety requirements of OSHA or other public agencies and has good safety practices without constant owner reminder. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
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II. Quality of Work/Service

<ul style="list-style-type: none"> • Inspector enforces quality/service requirements of the specs and ensures good painting practices occur without constant reminder by the owner. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector has deliberately allowed violations of the specification requirements. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector's work is of poor quality. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector communicates with owner when necessary. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector meets overall inspection schedule and has necessary equipment to perform the work. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector's work requires close supervision to ensure acceptable performance is occurring. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____
<ul style="list-style-type: none"> • Inspector has documentation that supports the performance of the contractor. 	Yes <input type="checkbox"/> Usually <input type="checkbox"/> Usually Not <input type="checkbox"/> No <input type="checkbox"/>	Unsure <input type="checkbox"/> Describe: _____ _____ _____

Dear Facility Owner/Specifier/General Inspector:

SSPC wishes to congratulate you on selecting the SSPC Coating Inspection Training and Certification for the Bridge Industry program for your coatings project. The certification program has been designed to provide the owner/specifier or general inspector with confidence that the inspector selected meets SSPC's standards for quality, service, safety, and ethical practice.

In order to maintain the program's high standards, we have established a system to constantly evaluate the performance of SSPC Certified Inspectors. As part of this effort, we have attached an evaluation form in which we ask you to assess the inspector's performance related to what we consider potential "critical performance criteria." We ask that you be fair and objective when answering each question. SSPC will take the utmost care to treat your response as confidential and will follow up where necessary.

Thank you for your cooperation and interest in the Coating Inspection Training and Certification for the Bridge Industry Program. We welcome any comments you have on our program.