

August 20th, 2021

Dear Candidates, students, and industry colleagues –

This past week, the Ethics and Professional Responsibility Committee (EPRC), received an update and some of the preliminary findings from the independent investigation led by Margaret C. Bell of Lagasse Branch Bell + Kinkead regarding the sexual harassment allegations against select members of our organization as were outlined in the New York Times article. While the full report has not yet been received, nor have any of these findings been shared with the remainder of the board, we wanted to provide our membership and our community with an update on the progress and next steps in the process.

Beginning next week, the EPRC will commence processing these initial findings alongside independent ethics experts and RALIANCE—a group that partners with a wide range of organizations to improve their cultures and create environments free from sexual harassment, misconduct, and abuse. RALIANCE and the independent experts will assist in classifying investigative findings and providing recommended corrective action, based on the findings in accordance with organization’s revised [Code of Ethics and Professional Responsibility](#). Once the full report has been presented to the EPRC and reviewed with RALIANCE, they will then propose their recommendations to the board. Out of respect for the survivors, all names will be redacted and the details of the report will not be disclosed publicly or to the membership. The organization will continue to share updates on the process as they become available.

We know there are still many questions, so we have tried to address many of the most common ones in the following FAQ’s regarding the investigation, the process, and the actions the CMS-A has been taking to make the organization safer and more inclusive.

Yours In Service,
Emily Wines, MS
Chair, Court of Master Sommeliers, Americas

Kathryn Morgan, MS
Vice Chair, Court of Master Sommeliers, Americas

Christopher Bates, MS	Joshua Nadel, MS
Robert Bigelow, MS	Sabato Sagaria, MS
Brahm Callahan, MS	Mia Van de Water, MS
Keith Goldston, MS	David Yoshida, MS
Michael Meagher, MS	



The Court of Master Sommeliers sets the global standard of excellence for beverage service within the hospitality industry with integrity, exemplary knowledge, and humility.

Who conducted the investigation?

Margaret C. Bell is the independent investigator in charge of investigating the accusations. She is a founding partner of San Diego's Lagasse Branch Bell + Kinkead, which specializes in employment law, and is an independent workplace investigator for the public and private sectors. On November 3, 2020, Bell was enlisted by CMS-A's counsel Davis Wright Tremaine LLP to lead an independent, impartial investigation on allegations of sexual harassment and coercion perpetrated by Master Sommeliers.

Has Margaret Bell had any contact with members of the organization?

In order to ensure a thorough and fair third-party investigation, Bell has not had any direct contact with the CMS-A Board of Directors, including those serving on the Ethics and Professional Responsibility Committee. Some members within the organization have been interviewed by her but are not privy to the information she has gathered.

What is the process for the investigation moving forward?

The Ethics and Professional Responsibility Committee, along with RALIANCE and independent ethics experts' support, will be responsible for making suggestions regarding discipline for accused members based on the findings of the report, in accordance with California law regarding membership organizations as well as the organization's revised [Code of Ethics and Professional Responsibility](#). Once the full report has been processed and recommendations have been made, the Board will then make the final decisions regarding disciplinary measures.

In cases resulting in a potential termination or full suspension, the Board must notify the member at least 30 days prior to making a final decision. During that period, the member has the opportunity to provide written or oral testimony to give context and explain relevant mitigating circumstances if they so choose. While the facts of the initial complaint and subsequent findings will not be re-adjudicated, the Board has an opportunity to amend their initial recommended suspension or termination when issuing their final decision based on the entirety of the findings.

What is the Ethics and Professional Responsibility Committee's role?

The Ethics and Professional Responsibility committee led the charge in rewriting the organization's [Code of Ethics and Professional Responsibility](#). This now includes a Candidate Bill of Rights, which outlines what candidates are entitled to while participating in any CMS-A programming, events, or activities, as well as an updated [Non-Discrimination Policy](#) and a new [Anti-Racism Pledge](#). The updated Code of Ethics and Professional Responsibility details the process in which members, candidates, and students can safely and anonymously report any misconduct or abuse via third-party provider Lighthouse Services (www.lighthouse-services.com/mastersommeliers or 833-373-0329), as well as how the process for investigating claims and subsequent disciplinary action. Prior to the start of the investigations, all Board Members (including ERPC committee members) recused themselves from any involvement in any cases that may present a personal or perceived conflict.

In addition, the ERPC created the criteria for all Master Sommeliers wishing to administer examinations and participate in CMS-A sponsored events and activities which requires acknowledging and signing the Code of Ethics and Professional Responsibility, as well as successful completion of trainings on discrimination and harassment, unconscious bias, diversity and inclusion, and microaggression.

How will the Ethics and Professional Responsibility Committee make recommendations regarding discipline?

Now that the independent report on the allegations has begun to be delivered, the Ethics and Professional Responsibility Committee will work with outside ethics experts specializing in ethics and sexual assault cases to give recommendations based on the guidelines set forth in the revised [Code of Ethics and Professional Responsibility](#). RALIANCE—a group that partners with a wide range of organizations to improve their cultures and create environments free from sexual harassment, misconduct, and abuse—will assist in classifying investigative findings and providing suggestions for corrective action which emphasize the importance of survivor healing. An industry leader with over 300 years of collective experience in dealing with sexual harassment, RALIANCE has helped other organizations and corporations such as Uber, the NFL, and McDonald’s develop a coherent framework to be able to classify and correct systemic problems of sexual harassment. Additionally, ethics experts Prof. Lisa Fullam, Prof. Margaret Russell, and Dean Gretchen Brodnicki will be consulted to ensure that corrective actions are appropriate and in accordance with best practices.

Published on the CMS-A’s website and communicated to the broader membership as of April 8, 2021, the Code of Ethics revision was a five-month project undertaken with the assistance of independent ethics experts Prof. Lisa Fullam, Th.D, D.V.M. Professor of Moral Theology, Santa Clara University; Gretchen Brodnicki, JD, Dean for Faculty and Research Integrity, Harvard Medical School; and Prof. Margaret Russell, JD, JSM, Associate Provost for Diversity and Inclusion, Associate Professor of Law, Santa Clara University.

When can we expect an update regarding the investigation results?

Updates will be shared as the Board receives additional information, and a final announcement based on their complete findings will be made once the process has played out in its entirety. This is expected to take approximately 8-10 weeks to conclude.

What has the organization done to make members, candidates and students safe?

Throughout the past nine months, CMS-A has made many changes to keep its members, candidates, and students safe as well as creating a culture that is more inclusive. The organization recognizes that it fell short in this regard in the past and that many changes are still needed. Some of the key changes that are already in place include:

- Listening sessions for its membership, candidates and the wine community as a whole.
- All Master Sommeliers are required to take sexual harassment and diversity trainings, in addition to acknowledging and signing the revised Code of Ethics and Professional Responsibility, to be in good standing.
- An entirely new board was elected in December 2020, with four seats held for Board Members outside the organization.
- The organization has appointed Executive Director Julie Cohen Theobald, who has deep experience in nonprofit and corporate leadership and offers an outside perspective.
- All Master Sommeliers who are eligible to teach, examine, and participate in CMS-A programming are denoted on the CMS-A website.
- Creation of the Candidate Bill of Rights, which outlines the organization’s commitment to all candidates who participate in any portion of its programming, events, or activities.

- Candidates are now able to submit recusal requests for specific Master Sommeliers through the CMS-A website.
- Permanent institution of a 24-hour, toll-free ethics reporting hotline for reporting any instances of harassment, discrimination, workplace misconduct, unsafe working conditions and other ethical or criminal violations. The anonymous hotline is operated by third-party provider, Lighthouse Services, and information can be found at (www.lighthouse-services.com/mastersommeliers or 833-373-0329 (US and Canada).
- Permanent institution of a Digital Suggestion Box for members, candidates, students, and community members to give constructive feedback as the CMS-A continues to evolve. More information available [HERE](#).