

## **CODE OF ETHICAL CONDUCT – Policy and Procedures**

### **Corporate Compliance Program**

#### **Policy**

It is the policy of the Elizabeth Richardson Center (ERC) to have an ethical responsibility to the persons served and the community it serves and be committed to strong principles of integrity and ethical conduct in all of its business transactions. ERC encourages and expects high standards of performance throughout the organization.

Those serving at all levels of the organization including board of directors, employees, contractors, volunteers and intern, herein referred to as workforce members, are expected to perform their duties competently, honestly, compassionately and with commitment to the highest standards of ethical conduct.

#### **Procedures**

In maintaining the ethical standards required by ERC, all workforce members will comply with all local, state, and federal rules/regulations/laws governing the services provided and the guidelines set forth below.

ERC believes in helping all persons served achieve their full potential by maximizing their independence, productivity, talents and quality of life. ERC fully supports the preference, choice of living environment, learning techniques, hobbies, profession and retirement goals of each person served. ERC works closely with the person served and their support team in developing program goals. These goals are specifically designed to help the individual achieve their full potential to the best of their abilities. It is also the belief of ERC that everyone should be empowered to make the choices in daily life being fully informed of the consequences of those choices; yet affording them the dignity of risk. ERC values each individual's rights and dignity and look to each person served as the most important part of the team.

#### **1. Business**

It is the standard of ERC to perform all business activities with honesty, fairness, integrity and respect. We will do this by adhering to the following business practices:

- a) Comply with legal requirements related to nonprofit management, reporting and governance.
- b) Be responsible stewards of financial resources.
- c) Provide fiscal responsibility and due diligence through board financial oversight, transparency and wise utilization of resources.
- d) Adhere to sound accounting principles that ensure fiscal responsibility and build public trust.
- e) Maintain an effective, efficient manner to monitor revenue and expenses.
- f) Spend a reasonable percentage of the annual budget on programs in pursuance of our mission.
- g) Spend an adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff and other expenditures critical to professional management.
- h) Compensate staff and any others who may receive compensation, reasonably and appropriately.
- i) Responsible use of fundraising, donor, foundation, grant and public revenue for purposes that ensure adherence to ERC's mission.
- j) Prudently borrow from endowment funds consistent with donor intent.
- k) Ensure that spending practices and policies are fair, reasonable and appropriate.
- l) Review financial reports to ensure they are factually accurate and complete in all material respects.

#### **2. Marketing, Advertising and Fundraising**

All marketing and advertising efforts of ERC will be based upon timely and truthful information which is intended to present an accurate picture of ERC and its operations in order to raise public awareness.

ERC will maintain designated staff responsible for communications, marketing and media relations.

At no time will ERC require a person receiving services to make public, written or oral statements regarding his/her background or dependence on ERC for care or to acknowledge gratitude to ERC. ERC will not use reports, pictures, or other information from which persons served can be identified without written permission from the person served or their guardian(s).

All fundraising activities shall be pre-approved by the Marketing Director.

### **3. Contractual Relationships**

ERC may contract with qualified individuals for the purpose of developing and/or maintaining a full array of services to foster continuity of care. ERC policies and procedures will be followed when contracting with an individual or entity.

#### **Service Delivery**

ERC will provide all services in a manner that demonstrates the utmost respect for the humanity and dignity of each person served. The rights, of the person served, will always be respected . ERC will provide competent, care service/support to each individual consistent with the goals in the person-centered plan. It is ERC's responsibility to protect all persons served from abuse, neglect, exploitation, humiliation or retaliation and provide the individuals served and/or their guardians with the information they need to make informed decisions about their services. All ERC personnel will communicate with persons served in a manner that is respectful and best helps them understand the information being presented. ERC will protect the confidentiality of all information related to persons served and recommend only those services/treatments considered to be beneficial to the individual.

#### **A. Conflict of Interest**

ERC recognizes that the potential for conflicts of interest exists for decision-makers at all levels. If ERC chooses to participate in an activity that could potentially create a conflict of interest, or the perception of a conflict of interest, the ERC Board of Directors will be notified and will determine the appropriate course of action. All ERC workforce members should conduct themselves in such a way as to promote a positive public image of ERC and to avoid any possible claims of unprofessional conduct or conflict of interest.

#### **B. Exchange of Gifts, Money or Gratuities**

ERC's workforce members cannot accept personal favors, gifts, or gratuities under any circumstances which may be reasonably construed as influencing ERC workforce members official activities. Receiving money or realizing personal financial gain from business, industries, or other community stakeholders with which ERC conducts business or which is under consideration of a business transaction is not permitted.

Persons served who are expressing gratitude may, at times, offer a gift to a workforce member who is special to them. Gifts that are small in monetary value may be accepted under that circumstance. By the same token, workforce members may give gifts to persons served if small in monetary value (\$10 or less).

ERC workforce members may not borrow or loan money from or to persons served.

**C. Personal Fundraising**

ERC workforce members are prohibited from soliciting funds on behalf of a personal cause or other organization on ERC premises and/or while on duty.

**D. Setting Boundaries**

All ERC workforce members will maintain a professional relationship that encourages rapport and trust with persons served.

**E. Witnessing of Documents**

ERC will regard the witnessing of documents to be accurate and accountable. A notary public will be used to witness documents when required. Otherwise, a neutral third party should witness the document if possible. If not, ERC workforce members may witness the document. The witness is not usually required to know or understand the contents of the document. A witness must be of legal age and mentally capable.

**5. Professional Responsibilities**

ERC workforce members will:

- a) Maintain a professional level of courtesy, dignity, kindness, respect, integrity and objectivity in all activities and delivery of services.
- b) Abide by ERC Code of Ethical Conduct, HIPAA/Confidentiality Policy and Procedures, By-Laws, Personnel Policies and all applicable local, state and federal legal requirements.
- c) Engage in public policy and advocacy activities to promote persons served and reduce stigma related to disability.
- d) Provide services only within demonstrated competencies, scope of practice, professional licenses (as appropriate) and job description.

ERC Board of Directors will:

- a) Provide overall leadership and strategic direction, and effective governance.
- b) Set policy and ensure resources to carry out ERC's mission.
- c) Provide direct oversight to the executive director, or designee(s).
- d) Exercise fair and equitable practices to attract and retain qualified board members.

**6. Human Resources**

ERC is an equal opportunity employer that considers applicants on the basis of qualifications regardless of race, creed, religion, gender, age, national origin, disability, marital status, veteran status, sexual orientation, or other characteristic protected by state or federal law. It is the policy of ERC that Human Resources maintains current personnel records as required to meet State, Federal and local managing authorities.

**7. Prohibition of Waste, Fraud, Abuse, and Other Wrongdoing**

ERC workforce members will conduct business in a way that is free from waste, fraud or misuse of all funds including state and federal funds. This will be done by providing services based on approved plans, documenting those services in an accurate and timely fashion, and billing for those services based on applicable regulations and legislation.

ERC does maintain a Corporate Compliance Plan that is reviewed and revised annually and as needed.

#### **Violations of Ethical Code of Conduct**

ERC workforce members will immediately report any suspected violations of ERC's Code of Ethical Conduct to one of the following:

- Immediate Supervisor
- Program Director
- Human Resources Director
- Corporate Compliance Officer
- Board President/Executive Committee – if suspected violation is against another board member or the executive director

An investigation will be promptly initiated, and the Chief of Operations and Executive Director will be notified by the individual completing the investigation.

ERC is committed to establishing an environment that is conducive for all personnel to report, in good faith, suspected violations without fear of reprisal. ERC has a no tolerance practice for retaliation against a workforce member who has reported Code of Ethical Conduct violations or any other alleged wrongdoing in good faith.

This commitment brings with it a reciprocal responsibility. It is a serious matter to accuse someone of unethical conduct. This right and obligation should not be used for personal reasons, professional gain or undertaken without good evidence.

Investigations into these concerns will be handled under the oversight of the Human Resources Director and/or the Corporate Compliance Officer and/or Board President/Executive Committee, as appropriate, using whatever internal or external resources they require. Time frames vary to complete investigations. They will depend upon the nature and circumstances of the investigation, but ERC's intent is to reach a finding within 30 days. If this is not practical, an update on the status of the investigation should be given within the 30 days. These investigations will be kept confidential. All information pertinent to the investigation will be documented and kept on file at the Human Resources office.

Upon completion of the investigation, action up to and including termination may be taken in order to prevent or stop business practices or behavior which breach the elements of this Code of Ethical Conduct, possibly without regard for whether any harm has been done. Refer to disciplinary processes in the **ERC Personnel Policy Manual**.

The Human Resource Director will report violations to the Corporate Compliance Officer so that these violations may be tracked for possible needs to revise training practices or procedures.

#### **Education on Ethical Code of Conduct**

All ERC workforce members will receive training on ERC's Code of Ethical Conduct at orientation and then annually, thereafter. ERC's Code of Ethical Conduct is available to all ERC members and stakeholders on the ERC website at <http://www.ercinc.org/index.php/about/policies>.

All ERC workforce members will be asked to sign an acknowledgment that they agree to abide by the ERC Code of Ethical Conduct.

### Advocacy Efforts for the Person Served

ERC will advocate with the people we support for justice, inclusion and full community participation. ERC will:

- a) Support individuals to speak for themselves in all matters where assistance is needed.
- b) Represent the best interest of people who cannot speak for themselves by finding alternative way of understanding their needs, including gathering information from others who represent their best interests.
- c) Advocate for laws, policies and supports that promote justice and inclusion for people with disabilities.
- d) Promote human, legal and civil rights of all people with disabilities and assist others to understand these rights.
- e) Recognize that those who victimize people with disabilities either criminally or civilly must be held accountable for their actions.
- f) Find additional advocacy services when services we provide are not enough.
- g) Consult with people we trust when we are unsure of the appropriate course of action in our advocacy efforts.

### Corporate Citizenship

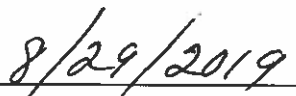
ERC encourages corporate responsibility at all levels of the organization. Corporate responsibility demonstrates our efforts, activities, and interest in integrating, contributing, and supporting the communities where we deliver services to better address the needs of persons served.

Last Reviewed: 3/2017, 5/2019


Last Revised: 3/2017, 5/2019

BOD Approved: 3/2017, 8/2019

  
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Co-Director, or designee

  
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Date

  
\_\_\_\_\_  
Corporate Compliance Officer

  
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Date