



## **Code of Ethical Conduct**

### **1. Business**

We assume positive intention and character, and treat all employees, clients, board members, funders, and associated parties with whom we do business, in an equitable and fair manner.

We report honest and true statements outwardly to reporting and accrediting bodies, and internally to staff, clients, and board members, in a timely manner.

We investigated complaints and concerns by any party -- clients, employees, or community members -- keeping these as our guiding principles.

We use our funds for their intended purposes, and actively avoid fraudulent, deceptive, and wasteful business practices, and utilize appropriate oversight and controls, keeping with accepted accounting practices.

We make efforts to ensure that the workplace is safe and that no party suffers personal, physical, or financial injury during any interaction with us.

### **2. Marketing**

All marketing efforts should be mission driven and should reflect PROVAIL's vision and values while:

- Communicating accurate, truthful (not deceptive) information
- Demonstrating respect for and promoting the capacity, accomplishments and capabilities of people with disabilities
- Respecting the privacy and choice of those reflected and
- Involving the faces, voices and input of the disability community to the extent possible

Marketing efforts should not only promote PROVAIL and the need for resources, but should focus on changing (the public's) minds and attitudes about people with disabilities.

### **3. Contractual relationships**

PROVAIL will enter into contracts which are lawful, support accepted business practices, maintain independence & avoid conflict of interest, and are not in conflict with our Mission, Vision, and Values.

We will negotiate in good faith and operate in a manner consistent with the agreed terms of the contract.

#### **4. Prohibition of:**

- (a) Waste.**
- (b) Fraud.**
- (c) Abuse.**
- (d) Other wrongdoing.**

Employees will provide comprehensive, accurate, and objective information when representing the agency. Provail will conduct internal and external audits to prevent waste, fraud, abuse or other wrongdoing acknowledge issues and formulate solutions, and view resources as taxpayer money. Employees will use available resources and refrain from actions that cause harm.

#### **5. Advocacy efforts for the persons served.**

Employees will be knowledgeable and respectful of the various values, beliefs, and backgrounds of our community and persons served. Employee training will include cultural diversity to increase awareness of values and beliefs of the communities served. PROVAIL will also promote the recruitment of qualified persons with disabilities and providing access or referral to social, legal or economic advocacy resources.

#### **6. Service delivery, including:**

- (a) Conflicts of interest.**
- (b) Exchange of:**
  - (i) Gifts.**
  - (ii) Money.**
  - (iii) Gratuities.**

#### **GIFTS AND CONFLICTS OF INTEREST**

You may not accept gifts, tips or gratuities from clients, their families or guardians. Anyone expressing a desire to make a donation to PROVAIL should be referred to the Development Department. Gifts from vendors must be reported to the Human Resources department if the value of the gift exceeds \$100.

You are to avoid placing yourself in a position that may create or lead to a conflict of interest or the appearance of one. For instance, you are prohibited from engaging in a financial relationship or investment that conflicts with our interests. You are also prohibited from having any personal financial interest, directly or indirectly, in any transaction with PROVAIL.

- (c) Personal fund raising.**

*Ex: having persons served selling items on behalf of the organization, allowing persons served to raise funds by appeals to personnel or other persons served.*

Employees may only solicit funds for a personal cause, such as Girl Scout cookies, with the permission of a supervisor. Any request is time limited, does not intrude on work duties and participation is optional.

**(d) Personal property.**

Respect and safeguard personal property of clients, visitors, and employees as well as property owned by PROVAIL. Employees will also safeguard PROVAIL property in their possession.

**(e) Setting boundaries.**

**EMPLOYEE-CLIENT RELATIONS**

The delivery of professional services requires that all service program clients be treated in a respectful manner, with the utmost concern for their safety and psychological well being.

Employees may not “date” or have romantic relationships with clients. Further, soliciting or engaging in any form of sexual activity with clients is strictly prohibited. Any employee who engages in sexual activity with a client, or solicits sexual activity from a client, whether during work time or outside of work time, will be subject to immediate dismissal from employment. Additionally, any employee suspected of engaging in sexual activity with a client will be referred to the appropriate law enforcement agency for prosecution.

PROVAIL employees are not to engage in any financial transaction with our clients, including but not limited to trading, borrowing and lending of money or possessions.

All employees who may have unsupervised access to service program clients are required to adhere to PROVAIL’s service policies regarding the use of restrictive procedures and positive behavior supports in accordance with policies set forth by the Washington State Department of Social and Health Services (DSHS).

**(f) Witnessing of documents.**

PROVAIL employees do not generally provide the witnessing of documents to prevent any potential conflict of interest. There may be a Notary Public on staff who may provide witnessing of documents per the authority of that title.

## **PART 2**

### **B. Written procedures to deal with allegations of violations of ethical codes, including:**

**1. A no-reprisal approach for personnel reporting.**

**2. Time frames that:**

**a. Are adequate for prompt consideration**

**b. Result in timely decisions**

### **PROBLEM RESOLUTION**

To ensure effective working relations, it is important that any workplace misunderstandings or conflicts are resolved before serious problems develop. Most incidents will resolve themselves naturally; however, if a situation persists that you believe is detrimental to you or to PROVAIL, free discussion with your immediate supervisor, department head, or a member of the human resources department is encouraged. These individuals will endeavor to work out a satisfactory solution to the problem. Any questions, problems, concerns, and suggestions are always welcome. You are welcome to address any concerns, questions, suggestions, or complaints to any member of management.

### **REPORTING IMPROPER ACTIONS**

“Improper actions” refers to actions undertaken by a PROVAIL employee in the performance of his or her official duties that (a) are in violation of any federal, state or local law or rule, (b) are an abuse of authority, (c) create a substantial and specific danger to public health or safety, or (d) grossly waste public funds. For purposes of this policy, “improper actions” does not refer to employment actions, such as performance or day-to-day management, processing internal complaints, decisions regarding hiring, promotion, firing and other discipline, or alleged violations of employment policies.

Violations affecting the safety of PROVAIL’s clients should be reported immediately to the appropriate manager and regulatory agency, followed by an internal report.

Employees may raise good faith concerns or complaints regarding improper actions to PROVAIL and/or the appropriate regulatory agency without fear of retaliation. See Whistleblower Policy in the next section for additional information.

To report improper actions internally, submit your concern and related information (“complaint”) in writing to the CEO. If your complaint concerns the CEO, submit your complaint to the PROVAIL Board Chair. Your identity will be kept confidential to the extent possible and consistent with our need to investigate the complaint, unless you provide written authorization for disclosure.

The CEO (or PROVAIL’s Board) will conduct an investigation and, where appropriate, make recommendations for corrective action. PROVAIL will make reasonable efforts to complete investigations as quickly as possible and usually within 60 days from the date of notification. If that is not feasible under the circumstances, PROVAIL will notify the complainant. The results of the investigation will be shared with appropriate parties, including the employee reporting the questioned conduct.

## **EMPLOYEE PROTECTION (WHISTLEBLOWER) POLICY**

If any employee reasonably believes that some policy, practice, or activity of PROVAIL is in violation of the law, a written complaint must be filed by that employee with the CEO or Board Chair.

It is the intent of PROVAIL to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization’s goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. Employees with concerns about PROVAIL’s compliance with the law, as described in this Whistleblower policy and with regard to improper actions, must raise their concerns in writing to PROVAIL’s CEO or the Board Chair, as may be appropriate. Doing so provides PROVAIL with a reasonable opportunity to investigate and correct the alleged unlawful activity.

PROVAIL will not retaliate against an employee who in good faith protests or raises a complaint relating to an activity, policy, or practice of PROVAIL, or of another individual or entity with whom PROVAIL has a business relationship, that the employee reasonably believes is in violation of applicable law or a clear public policy.

### **C. Education of ethical codes of conduct for:**

#### **1. Personnel**

The purpose of this code is to assure that employees of PROVAIL act in the best interest of PROVAIL, without being partial to any particular department or their own personal interests; devote to PROVAIL their undivided loyalty and uncompromised integrity; conform to the highest standards of business ethics; and give the appearance as well as the fact of such impartiality, devotion and integrity. PROVAIL expects Employees to comply strictly with this Code and to exercise good judgment and reasonable prudence in carrying out PROVAIL business.

Different employees have different duties with respect to this code. For example,

- senior managers have a responsibility to foster high ethical standards in the workplace;
- all managers have responsibilities for the conduct of their staff, and for making sure that their staff are aware of this code and are sensitive to ethical issues;
- employees who make financial decisions, and employees who procure goods and services for PROVAIL, are responsible for ensuring that those decisions reflect good stewardship of PROVAIL funds, make effective and efficient use of scarce resources, and ensure that their actions do not give rise to any appearance of favoritism, personal gain or other impropriety.

Employees are responsible for reflecting on this code with respect to their individual situations and current duties, adhering to this code while conducting their official duties, and taking any questions about compliance to the Human Resources.

Because of the importance of this Code, violations of it constitute grounds for discipline, including dismissal. Violations include, but are not limited to, withholding of information concerning unethical conduct and failure by managers to see that employees and contractors under their management are briefed on the Code.

## **2. Other stakeholders**

Entities receiving discretionary funds or contracts from PROVAIL shall agree to act with integrity and perform their duties in compliance with applicable Federal, state, and local laws, and PROVAIL contract/grant requirements, and otherwise act as efficient and impartial stewards of PROVAIL funds.

It is the responsibility of PROVAIL managers to take appropriate measures, including but not limited to notifying such grantees or contractors of PROVAIL employees' obligation to disclose their pursuit of future employment pursuant to Section 4 hereof, to encourage contractors and grantees to act in accordance with the PROVAIL's ethical conduct standards.