

³⁸Organizational Governance, Policy: 8 - Ethical Code of Conduct

I. POLICY

It is the intent of the Board of Directors that Link Associates operates within the highest moral, ethical and business standards. Link Associates pledges to set the standard for professional conduct by acting with honesty and integrity. We know that acting with honesty and integrity builds credibility, both within the organization and throughout the community within which we operate. The actions of staff and members of the Board in working with individuals receiving service should promote self-esteem, demonstrate empathy and a willingness to use insights to improve situations and to enlist the involvement of those we support by increasing their worth.

II. PROCEDURE

Link Associates interacts with many different stakeholder groups on a continuous basis. These include funding sources, employers, family members, other service agency staff, and the general community. The quality of this interaction has a direct impact on the quality of our services. It is expected that the Board, management and staff of Link will treat all stakeholder groups in an open and forthright manner at all times.

A. Philosophical Beliefs, Principles and Values

The Board of Directors, along with the consumers and staff of Link Associates defined their mission, vision and values, which reflect the major philosophical beliefs and principles of Link.

1. Mission

Providing people with intellectual disabilities opportunities to achieve their personal goals.

2. Vision

Link Associates will be the recognized leader in providing quality services to persons with intellectual disabilities.

3. Philosophical Beliefs and Values:

a. Dignity and Respect

We embrace an atmosphere of open communication and mutual respect where people are treated fairly, have fulfilling opportunities and challenges and are able to make a difference in our community. We strive to be honest and fair in all our interactions, respect confidentiality and individual rights, empower individual choice, and work together as a team.

b. Quality Services

We provide quality services to all consumers on a non-discriminatory basis. We strive to: Comply with applicable federal, state and local laws, ensure safe programs, provide personalized and innovative services based on individual needs, and support opportunities to achieve personal goals.

c. Caring Environments

We provide opportunities to live, work and socialize in caring and supportive environments. We strive to: Establish safe, adaptive, and affordable living and work environments, provide skilled and knowledgeable staff, respect personal environments and property, and recognize and reward accomplishments.

d. Personal Choice

We empower consumers and staff to make personal choices that meet their needs. We strive to: Provide mutual learning opportunities, present opportunities to achieve personal goals, and support consumer's choice in all aspects of their life.

e. Long Term Commitment

We are dedicated to remain an industry leader by cultivating and promoting long term commitments by our staff. We strive to: Be responsive to the needs of our consumers and their families; employ and retain committed, qualified and satisfied staff; provide open and effective communication with all stakeholders;

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Dates Reviewed: 3/13, 5/14

Date Revised: 3/13

conduct business with prominent standards of ethics, honesty and fairness; and be recognized as an organization where people are connected and committed to one another.

B. Ethical Code

1. Members of the Board of Directors and Administration

The members of the board of directors and the administration will conduct themselves in an ethical manner by consistently following the policies and by-laws of the organization and remain committed to each individual's right to self-determination and the person's right to make their own life choices. Our Board and Administration must be committed to seek and provide culturally appropriate services to the best of their ability. Board and Administration are expected to:

- a. Conduct themselves in a professionally competent manner that upholds the highest example for persons receiving services by the organization, other agencies, employers, funders, and the community at large.
- b. Continually review the mission of Link Associates and make modifications as appropriate.
- c. Utilize strategic planning to ensure the organization receives appropriate leadership.
- d. Maintain open communication for staff, consumers, and other stakeholders to receive input on a continuous basis.
- e. Approve and uphold Link Associates policies directing the governance, management, financial, programmatic, safety and environment of the organization.
- f. Keep confidential all matters concerning the persons served.
- g. Support peers and colleagues by keeping confidences, and being honest with self and others.
- h. Fight stigma and promote community integration, advocate for the rights, equal treatment of and resources to meet the needs of the people served.
- i. Report physical, emotional and verbal abuse to the appropriate authority and warn anyone believed to be in danger of physical harm.

2. Responsibility to Consumers/Service Delivery

The Board, management and staff of Link Associates, shall strive to provide the highest level of quality services. Together, the Board and staff of Link Associates pledge to protect and promote the interests and informed choices of those we serve. All Board and staff are expected to interact with consumers in a kind and respectful manner including, but not limited to:

- a. Take time to understand the consumer's form of communication.
- b. Use a consumer's given name and avoiding the use of nicknames.
- c. Avoid the use of any name or term that belittles the consumer's status as an adult.
- d. Engage in problem solving with consumers and avoids the use of a "scolding" approach or criticism of a consumer in front of peers.
- e. Create a positive environment for all consumers by refraining from gossip and negative attitude while working.
- f. Teach social/communication skills necessary to be an integrated part of the community.
- g. Document in a descriptive manner that avoids the use of judgment, labels, and opinions.
- h. Talk directly to the person and encourage them to speak for themselves.
- i. Maintain appropriate interactions with adults. Avoid using of roughhousing or other interaction patterns typically used with children.
- j. Provide consistent opportunity for meaningful decision/choice making and respect their choices.
- k. Respect the consumer's right to confidentiality at all times by not discussing programming and other personal needs in the presence of other uninvolved employees or consumers.
- l. Avoid the use of other consumer names during a consumer's meeting.
- m. Do not use consumer names or discuss consumer matters with people outside the agency or outside the consumer's staffing team.
- n. Fulfill job requirements consistently and routinely.

- o. Do not accept individual gifts, money, and gratuities from parties that have a relationship with Link (parents/guardians, board, vendors, consumers or employers). Gifts may be accepted on behalf of the agency and forwarded accordingly. All gifts are reported to the Executive Director.
 - p. Do not violate professional boundaries including but not limited to behaviors of a sexual nature.
 - q. Avoid and immediately report any involvement in the identity theft of a consumer, co-worker or others with records maintained by Link Associates or items at service sites.
 - r. Support individual consumer's rights to be engaged in organizational fundraising or not. No consumer or family should feel obligated to solicit funds on behalf of the organization.
 - s. Support consumers who have individual fundraising activities for legitimate events to make sales at a time and place that do not distract employees of any business or make people feel obligated to support the event.
 - t. Showing respect for and safeguarding of consumers personal property
 - u. A person not associated with or employed by the organization will only do witnessing of the receipt and understanding of consumer rights and responsibilities. Other program/service related documents (i.e. Life Plans, release of information forms, inventory records, etc.) can only be done in accordance with agency policies and/or the approval of the appropriate Department Director or Executive Director. Legal documents (i.e. Power of Attorney, wills, advance directives, guardianship, etc.) will not be witnessed by any staff due to the potential for conflict of interests.
3. Responsibilities to Co-Workers
- Employees shall interact with co-workers/supervisors with dignity and respect at all times, including, but not limited to:
- a. Engage in problem solving rather than assigning blame for problems.
 - b. Avoid criticizing/challenging co-workers/supervisors in front of other employees, parents, guardians, etc.
 - c. Respond to constructive criticism in a productive, timely, and professional manner.
 - d. Meet timelines for paperwork and meetings and avoid inconveniencing other employees.
 - e. Routinely complete assigned duties and offer assistance to co-workers as possible.
 - f. Communicate pertinent information in a timely fashion.
 - g. Channel concerns/problems through the appropriate line of supervision.
 - h. Spend work time interacting with consumers and performing assigned duties.
 - i. Create a positive environment for all co-workers by refraining from gossip and negative attitude while at work.
 - j. Keep personal relationships away from the workplace as not to embarrass, distract, or inhibit any employees from performing job duties.
 - k. Report employee work violations based on the needs of those served and the benefit of the organization, and not for malicious purposes.
 - l. Avoid any personal soliciting/fundraising that interferes with your job duties or makes co-workers feel obligated to support the fundraiser.
4. Responsibilities to the Public and Corporate Citizenship
- a. Community members must always be treated with respect and dignity. Requests for information from the community are to be responded to in a timely manner and concerns and complaints shall be addressed. Input solicited from members of the community shall be treated in a respectful manner. Employees and Board shall interact with parents, guardians, DHS, funding sources, vocational customers, and members of the wider community with dignity and respect at all times including, but not limited to:
 - b. Respond to constructive criticism in a productive, timely, and professional manner
 - c. Engage in problem solving rather than assigning blame for problems
 - d. Avoid criticizing/questioning in front of others
 - e. Routinely communicate pertinent information in a timely fashion
 - f. Channel concerns/problems through the appropriate line of supervision
 - g. Routinely and consistently fulfill job requirements
 - h. Avoid criticizing and/or making negative public statements about Link Associates, parents, guardians, co-worker other providers and agencies, etc.

- i. Maintain a business like relationship at all times
- j. Maintain a neat, clean, attractive appearance when representing the consumers and the agency
- k. Providing reasonable accommodations for equal opportunities for participation
- l. Being actively involved in community organizations and service groups
- m. Providing educational opportunities and events for all stakeholders

C. Business and Financial Practices

An organization like Link can only achieve its mission if it is financially stable and utilizes honest, ethical and professional business practices. It is expected that the Board and management shall:

- 1. Utilize honesty, fairness, responsible stewardship, and ethical behavior in all business and financial practices.
- 2. Handle all financial practices in accordance with the applicable federal, state, and local laws and within the standards of commonly accepted, sound financial management practices.
- 3. All financial matters shall be conducted in accordance with established policies and the bylaws of Link Associates.
- 4. Enter contractual relationships in accordance with Link Associates Policies and Procedures that are free from conflict of interests.

D. Human Resources

It is expected that the Board of Directors and the staff of Link Associates be committed to employment practices that are fair and consistent for all employees. The Board and the Administration of Link will strive to maintain the highest standards of professional and personal conduct in the field of human resource management. Together, they will monitor and ensure the fair and equitable treatment of all employees and instill in the employees and the public a sense of confidence about the conduct and intentions of Link. The administration of Link and the members of the Board of Directors will:

- 1. Make continuous effort to ensure genuine equal employment opportunities.
- 2. Distribute and hold staff accountable to the contents of the Employee Handbook.
- 3. Not allow their words or actions to reflect prejudice or discrimination concerning any race, religion, culture, gender or lifestyle.
- 4. Refrain from using official positions, either regular or volunteer, to secure personal special privilege, gain or benefit.
- 5. Maintain the confidentiality of privileged information.

E. Responsibilities for Marketing Activities

- 1. Marketing activities are a part of Link Associates accountability to the public and shall always respect the dignity and a privacy right of the person's served.
- 2. Marketing activities shall never knowingly mislead or misinform the public or misrepresent Link Associates and shall uphold the integrity as to merit the continued support and trust of the public.
- 3. Marketing information, both written and oral, will use person first speech.
- 4. Marketing materials will not depict persons receiving services in way that are designed to elicit sympathy.

F. Nepotism

Members of the Board of Directors and employees shall not participate in the selection, hiring, supervision, performance review of, or decisions regarding compensation for any person who is a member of the Board Member's or employee's family or household.

- 1. This section is to provide a process that allows members of the same family or household to be considered for employment or employed by Link Associates without placing them in a real or apparent conflict of interest under the Code of Ethics and Conflict of Interest policies. Applicants for employment shall not be denied employment opportunities because of their status as a family or household member of another employee or Board member. This procedure applies to all employees of Link Associates.
- 2. DEFINITIONS

Family or household member is defined as the Board Member or employees: spouse or live in companion, natural, step, or significant others; parents, children, grandchildren, siblings, nephew or niece, and grandparents.

3. PREVENTION

To prevent a situation where nepotism can occur, family members as defined above are eligible for employment as long as a direct supervisory relationship does not exist between family or household members. Additionally, one member of a family or household cannot assume the role of investigator, or decision-maker with respect to:

- a. Processing complaints or allegations
- b. Making decisions on personnel matters, concerning the continued employment or promotion of a family or household member.

4. EXCEPTIONS

In exceptional circumstances, a direct supervisory relationship may exist between employees who are family or household members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved or the lack of other available appropriate supervisory personnel. The Executive Director must approve any exception and all employment decisions affecting the subordinate employee, such as selection, hiring, discipline, investigation, performance review, compensation, or furlough, must be assigned to other supervisory personnel. The Board of Directors must approve exceptions involving the Executive Director's family or household member.

5. Change in relationship between employees.

The supervisor or manager involved in a relationship covered by this procedure shall notify their immediate supervisor when the change occurs which affects this policy. This includes employees in a supervisor and subordinate relationship who become family or household members, or the development of a supervisor and subordinate relationship between family or household members after employment. The Executive Director is to be notified and Link Associates shall make suitable arrangements, which may include:

- a. The transfer of one of the employees
- b. The assignment of a different supervisor
- c. The determination that an exception is necessary

G. Ethical Code of Conduct Violations

Violations by employees to the code of ethics shall be processed through the disciplinary procedures as identified in the employee handbook. The President of the Board and the Officers shall investigate violations to the Code of Ethics by the Executive Director or any member of the Board of Directors. For the Executive Director, disciplinary action up to and including termination may be implemented. Members of the Board may be asked to resign as outlined in the By-Laws. Investigation of violations will be promptly initiated and in no event will more than 5 business days elapse from the time of the receipt of an alleged violation of ethical codes and the initiation of investigation. The decision or outcome of the investigation will occur as promptly as possible. Circumstances (availability of witnesses if applicable, outside resource involvement, etc.) may have an impact on the timeliness of reaching a decision. All decisions, if not made within 30 business days of receipt of the allegation will be reported to the Executive Committee of the Link Associates Board of Directors.

H. Ethical Decision Making

In the context of decision-making, your ethics are your personal standards of right and wrong. They are your basis for making ethically sensitive decisions. As an organization Link Associates will coach and support employees to provide guidance in situations requiring decision making to ensure the results match Link's code of ethics. Board and administration will utilize the following sequence to guide decision-making.

1. Recognizing an Ethical Issue:

- a. Could this decision or situation be damaging to someone or to some group?
- b. Does this decision involve a choice between a good and bad alternative, or perhaps between two "goods" or between two "bads"?
- c. Is this issue about more than what is legal or what is most efficient? If so, how?
- d. Get the Facts

- (1) What are the relevant facts of the case?
 - (2) What facts are not known?
 - (3) Can you learn more about the situation?
 - (4) Do you know enough to make a decision?
 - (5) What individuals and groups have an important stake in the outcome?
 - (6) Are some concerns more important? Why?
 - (7) What are the options for acting?
 - (8) Have all the relevant persons and groups been consulted?
 - (9) Have you identified creative options?
- e. Evaluate Alternatives by asking the following questions:
- (1) Which option will produce the most good and do the least harm?
 - (2) Which option best respects the rights of all who have a stake?
 - (3) Which option treats people equally or proportionately?
 - (4) Which option best serves the community as a whole, not just some members?
 - (5) Which option leads you to act as the sort of person you want to be?
- f. Make a Decision and Test It
- (1) Considering all these approaches, which option best addresses the situation?
 - (2) If you told someone you respect-or told a television audience-which option you have chosen, what would they say?
- g. Act and Reflect on the Outcome
- (1) How can the decision be implemented with the greatest care and attention to the concerns of all stakeholders?
 - (2) How did the decision turn out and what was learned from this specific situation?