



# Code of Conduct

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**Personnel Policy Manual Section IV**

*2008*

# Philosophy

To enable Youth Advocate Programs, Inc. (“YAP”) to conduct their business effectively and to promote confidence in the integrity of their leadership, board members, employees, vendors, and contractors, the highest standards of ethical principles must be maintained. The underlying principles of this Code are based on the premise that all leaders, board members, employees, vendors, and contractors must avoid situations in which their personal activities or relationships could create, or appear to create a conflict of interest, or make it difficult to objectively carry out job responsibilities or act in the best interest of YAP

The spirit of this Code is to preserve and protect the integrity and independence of all decisions affecting YAP made by its leaders, board members, employees, vendors, and contractors so that the interests of YAP and not that of any individual prevail. The mere appearance of a conflict or a breach of confidence can be just as detrimental as an actual conflict or breach, and may result in irreparable damage to YAP and its reputation.

## **A. Relationships and General Conduct**

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- YAP requires every employee to act in the best interests of the company. Further, you must engage in and promote honest conduct, including handling actual or apparent conflicts of interest in an ethical manner.
- In order to reduce potential conflicts of interest, applicants will not be considered for employment in a position in which they would be supervised by or work directly for a family relative, spouse, or domestic partner.
- YAP leaders, shall not influence the application of a family member in such a way that would taint the interviewing and hiring process.
- YAP employees who have a close personal or family relationship with a person employed or affiliated with a business partner, supplier, vendor, or competitor should not become involved in the business decisions that involve YAP and may benefit, either directly or indirectly, their close personal or family relation.

## **B. Conflict of Interest**

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1. "Persons in a position of trust" include members of the Board of Directors, YAP employees, including officers, and anyone receiving income from YAP, and volunteers.

2. "Conflict of Interest" means a conflict, or appearance of a conflict, between the private interests and the official responsibilities of any person in a position of trust at YAP.

- All employees, Board members, vendors, and contractors shall adhere to the Conflict of Interest Policy set forth in § XVIII of the Personnel Policy Manual.
- No person in a position of trust shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or any other thing of value of any kind to any referring authority official or employee in order to influence the decision of that referring authority. Nothing, however, in this YAP Code of Conduct shall prohibit a person in a position of trust from either purchasing a meal for anyone or distributing YAP promotional materials unless such a meal or promotional material would violate another's code of conduct (about which the YAP person in a position of trust has been informed).
- No person in a position of trust shall use any forms, client or other confidential information, copied materials or other business information from YAP while

working in a position outside of YAP, or while seeking unemployment or other financial benefits.

- No person in a position of trust who is currently employed with YAP shall begin a youth or human services program that might compete with YAP while employed with YAP.
- No person in a position of trust who leaves YAP shall begin a youth or human services program that might compete with YAP for at least one year from the last date of employment with YAP.
- No person in a position of trust who leaves YAP shall contact any YAP referring authority to solicit referrals for at least one year from the last date of employment with YAP unless the new employer has an existing relationship with the referring authority.
- No person shall use YAP equipment, office space, YAP staff, and office supplies for the purpose of their work for another organization where they may be employed.
- Any senior management employee who receives a full time salary from YAP shall disclose to the CEO when they receive any compensation for work performed for an organization other than YAP.

### **C. Professionalism**

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1. All YAP employees' actions must be conducted in accordance with federal, state, and local laws, professional standards, applicable regulations and contractual agreements, and implemented with honesty, fairness and integrity. Professionalism requires specialized knowledge, skill, appropriate decision making, and judgment.

2. All employees, Board members, vendors, and contractors shall:

- Report all actual hours worked in an honest manner.
- Accurately and honestly represent YAP. Avoid any activity or scheme intended to defraud anyone of money, property, or honest services.
- Project a positive attitude in the work environment.
- Not threaten or cause physical harm to a co-worker, supervisor, subordinate, child, and child's family.

- Understand YAP's personnel policies, grievance procedures, special incident procedures, and all applicable governmental regulations and service contracts.
- Follow direction issued by supervisors pertaining to work assignments.
- Not utilize derogatory or belittling language when referring to the race, age, religion, color, sex, national origin, economic status, sexual preference, or disability of co-workers, supervisors, subordinates, children or their families.
- Maintain current all applicable licenses and credentials.
- Refrain from any negative public statements that tend to reflect poorly upon YAP.
- Maintain the confidentiality of all persons served by YAP in accordance with State and/or Federal law.
- Report any and all incidents of child abuse or any suspected incidents of child abuse required by state and/or federal law.
- Act as role models both on the job and in the community at large. As such, the following behaviors are prohibited whether on or off the job: (1) public drunkenness, (2) physical and/or verbal abuse, (3) illegal drug consumption or distribution, (4) public brawls, (5) soliciting prostitutes or engaging in prostitution, (6) illegal activities, (7) driving under the influence of drugs or alcohol, (8) sexual harassment and (9) domestic abuse.
- Maintain appropriate professional boundaries with persons served and their families.
- Adhere to the YAP "Integrity Compliance Plan" and ensure attendance at the annual training.
- Report any suspected fraud, abuse, or misconduct.
- Report any convictions in local, state, or federal court while employed by YAP or any disbarment, exclusion, or ineligibility determination for participation in federal and state healthcare programs.
- Treat all persons served with dignity and respect by honoring the client bill of rights.
- Not take YAP clients or their families to your home or involve them in your personal life.

## **D. Financial and Organizational Fiscal Responsibility**

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1. This subsection applies to every YAP employee or other person in a position of trust.

- Every person in a position of trust shall comply with applicable laws, rules and regulations of federal, state, foreign and local governments, and private and public regulatory agencies.
- Any employee or vendor who knowingly makes false or inaccurate claims, bills for service not rendered, bills for non-medically necessary services, inappropriately codes billings, submits bills not in accordance with referral authority contracts, or submits duplicate billings shall be disciplined in accordance with YAP Personnel Policies and the Integrity Compliance Plan.
- All receipts shall be submitted for reimbursement in accordance with YAP reimbursement policy including the clearly stated business reason.
- Everyone submitting for mileage reimbursement shall ensure that the miles requested for reimbursement are strictly business related. When seeking annual mileage cap increase request, employees will submit documented evidence to support the increase.
- All supervisors are expected to ensure appropriate and accurate timesheets and payroll documents are submitted by their employees.

2. The Chief Financial Officer, the Corporate Controller, the leadership of each region responsible for fiscal management, and all professionals in a finance, accounting, treasury, tax, actuarial, audit or investor relations role in YAP shall adhere to the following requirements:

- Adhere to, and, where applicable, monitor and improve, YAP's processes to maintain effective internal control over financial reporting.
- Act in good faith, responsibly, with due care, competence and diligence, using considerate, professional, independent judgment, and seek at all times to present all reasonably available material information on a timely basis to management and others in accordance with YAP policies.
- All procurement and purchasing should comply with the guidance of the Office of Management Budget (OMB) circular A-122.

- All purchases of services and products meeting or exceeding a minimum of \$5,000 (individual billing or total cost) shall go through a competitive bid process. A reasonable process for the selection of vendor shall be applied including consistent application, adequate documentation, and demonstrated prudence.
- The presentation of all financial reports and documents shall adhere to all legal, regulatory, fiscal, and Generally Accepted Accounting Principles (GAAP).
- All financial reports shall be published to Senior Management and the Board of Directors on a regular and consistent basis.

Only the Board of Directors or the Audit Committee may waive provisions of this section for the Chief Executive Officer or the Chief Financial Officer and any such waiver shall be promptly disclosed in accordance with applicable laws, rules and regulations.

## **E. Communication and Information Technology**

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All YAP employees are expected to:

- Use telephone mobile phones and blackberries and other technological devices for YAP business purposes. Personal use of technological devices is to be avoided.
- Minimize their use of the YAP internet for non-business research or browsing and only do so during meal or breaks. In addition:
  - Protect the privacy and confidentiality of all YAP technology including not disclosing login names or passwords to anyone.
  - Protect the confidentiality and security of all electronic communication.
  - Use only YAP communication devices to exchange YAP information.
  - Not monitor, intercept or “hack” into communications of other employees, referring authorities, or other third parties.
  - Use only your own password or login names.
  - Always disclose accurately the sender of a communication.

- Use only software installed by YAP IT staff or authorized by the Chief Information officer.
- Not deliberately propagate any viruses, worms, Trojan horses, or trap door program codes.
- Not use YAP equipment to participate in any chat room or news group.
- Exercise caution and professionalism when transmitting any confidential information via email or internet.
- Transmit confidential information only to a recipient authorized to receive the information.
- Avoid, if possible, using cell phones and blackberry communications for confidential topics.
- Not leave confidential or sensitive information in voice mails.
- Not connect non-YAP electronic devices to YAP systems.
- Understand that any electronic communications are permanent and may be used in the future.
- Use only YAP electronic communication equipment to exchange confidential information with clients, RA's, schools, or any other recipient.
- Cooperate with law enforcement agencies in any investigation regarding the use of electronic equipment.
- Report any unauthorized or inappropriate use of any electronic equipment.
- Do not use any YAP property, including logos, or proprietary information, or any public domain websites without explicit permission.