



## **Code of Conduct and Guidelines for Contractors**

### **Personal Gain**

It is a conflict of interest for you to personally take for yourself opportunities that are discovered through the use of Agency property, information or position with the Agency; to use Agency property or information for personal gain; or to compete with the Agency.

There are many types of situations where potential conflicts may arise. You must promptly report any actual or potential conflicts of interest to your immediate supervisor or directly to the Compliance Officer.

### **Use of Agency Funds and Resources**

The Agency's assets are to only be used for the benefit of the Agency and the people we serve. Assets include funds, equipment, inventory and office supplies, but also concepts, business plans and strategies, information about people served, financial information, computer property rights, and other business information about the Agency.

You may use Agency assets as set forth in Agency policies and procedures and must not use assets for personal gain or give them to any other persons or entities, except in the ordinary course of business as part of an approved transaction.

### **Confidentiality**

During your engagement with ILA, you may acquire confidential information about ILA, its staff and people served that must be handled in strict confidence and not discussed with outsiders. The protection of confidential business, staff and consumer information is very important. Exempted are reports of allegations of wrongdoing as set forth by OPWDD, the Justice Center, Office of the Medicaid Inspector General and any other government agency, of which the first report to the Compliance officer is encouraged.

### **Business Dealings between the Agency and Contractors**

Contractors must seek guidance and approval from appropriate management personnel prior to pursuing any business or personal activity that may constitute a conflict of interest.

The Compliance Officer will be responsible for investigating, either directly or through supervision, any violations of this policy.

### **Maintenance of Records**

Contractors must record and report all agency, consumer and financial information fully, accurately and honestly. Records include, but are not limited to records of the people served, documentation of services, accounting books or records, financial statements, time sheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence and any other method of communication. Contractors must not omit or conceal any relevant information.



Many of the Agency forms are legal documents used to prove that a service was provided, to bill for a service to a consumer, to record a job task, or to record specific happenings. Contractors must document accurately and honestly, and only for those services that were provided or those events in which the contractor was involved.

### **Falsification of Records**

There can be no false entries in any of the Agency's records or in any public record for any reason; no alteration of any permanent entries in the Agency's records; and no creation or participation in the creation of any records that are intended to mislead or to conceal anything that is improper.

### **Expense Records**

Expenses must be charged accurately and to the appropriate cost center or account, regardless of the financial status of the program, project or contract, or the budget status of a particular account or line item.

Approval for payments of receipts on behalf of the Agency must have document(s) supporting the transaction. "Slush funds" or similar off-the-books accounts, where there is no accounting for receipts or expenditures on the agency books, are strictly prohibited.

### **Retention of Records**

The retention, disposal or destruction of records of or pertaining to the Agency must always comply with legal and regulatory requirements and Agency policy.

You may not destroy records pertaining to litigation or government investigations or audit without express written approval of the Compliance Officer.

### **Protection of Confidential Information**

The Agency has developed policies and procedures to assure that the confidentiality of Agency information and information about the people we serve is protected and released only with the appropriate authorization or for lawful reasons, in addition to purposes of treatment, payment and operations. All contractors are required to comply with ILA's Privacy Policy. If you have any questions concerning confidential information or the Privacy Policy contact your immediate supervisor or the Compliance Officer. You must treat all Agency records and information as confidential.

You may not release confidential information without the proper authorization. Confidential information includes not only information about the people whom we serve and their families, but also non-public information about the Agency that may be of use to the Agency's competitors or harmful to the Agency or its customers if released.

You must protect Agency information and avoid discussing or disclosing Agency information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the Agency. Furthermore, staff may not share confidential Agency information with anyone, except where required for a legitimate business purpose.



Agency information may not be removed from Agency property without permission from a supervisor or administrator with proper authority over the information. Ask your supervisor if you are not sure whether certain information is confidential.

### **Post-Engagement Confidentiality**

Upon separation/termination of contracted service, you may not use any confidential information gained from your engagement with the Agency for your or another company's benefit. You may not take copies of any reports, documents or any other property belonging to the Agency.

Upon separation/termination of contracted service with the Agency, you must return all Agency property including, but not limited to copies of documents, notes, and other records containing confidential information such as computers, cell phones, electronic storage media, etc. Also upon separation, Agency ID, keys, credit cards, petty cash, etc. must be returned to the designated administrator with the Human Resources Department.

### **Information Security (Also See Computer Usage Policies)**

You are responsible for properly using information stored and produced by all of the Agency's computer systems.

Computers, Internet access, email, or other office communications systems are intended for business-related purposes only and not for uses that may be disruptive, offensive, harassing or harmful to others.

Do not share your system user name or password with another person or allow another to access the computer with your password.

All contractors are required to comply with ILA's information technology policy and procedures. If you have any questions concerning information security, contact your immediate supervisor or Compliance Officer.

### **Compliance Training**

ILA is committed to assuring that all of its contractors are knowledgeable and well trained on all aspects of ILA's corporate compliance plan. The development and implementation of regular, effective education and training seminars for contractors is an integral part of the compliance program. Compliance education is divided into two general components. First, all contractors must receive an introduction to the compliance program. Second, contractors whose work is linked to identified risk areas should receive specialized compliance education pertaining to their function and responsibilities.

1. All contractors, including new engagements, will receive training related to the organization's overall compliance program. Thereafter, all contractors will receive annual recertification training.
2. Contractors in identified risk areas will receive more detailed education related to their function and responsibilities.
3. Attendance at training sessions is mandatory and is a condition of continued contracting.



## **Enforcement of Compliance Standards**

ILA is committed to conducting its business ethically and in conformance with all federal and state laws, regulations, and interpretations thereof, and the Agency's Code of Conduct. To support this commitment ILA has developed procedures for disciplinary actions to be taken for violations of the Corporate Compliance Program and/or Code of Conduct by contractors and/or independent contractors.

Contractors who, upon investigation, are found to have committed violations of applicable laws and regulations, the Corporate Compliance Program, the Code of Conduct, or the Agency's policies and procedures will be subject to appropriate action, up to and including the termination of services.

The following actions may result in the termination of services.

- Authorization of or participation in actions that violate the law, regulations and Corporate Compliance Program, including the Code of Conduct, and all related policies and procedures;
- Failure to report an alleged violation by an employee, Board member or contractor, including self.
- Failure to cooperate in an investigation;
- Retaliation against an individual for reporting a possible violation or participating in an investigation; and
- Failure to act as an honest, reliable and trustworthy service provider.

Corrective measure will be appropriately documented in the contractor's, along with a written statement of reason(s) for imposing such discipline. Such documentation will be considered during deliberations as to further engagement.

The Compliance Officer and Director of Human Resources will be responsible for assuring that actions related to non-compliance with the law, regulations and Corporate Compliance Program, including the Code of Conduct, are consistent with actions taken in similar instances of non-compliance.

## **Internal Auditing and Monitoring**

ILA has developed and implemented a compliance program in an effort to establish, in part, effective internal controls that promote adherence to applicable federal and state laws and requirements. An important component of the compliance program is the use of audits and/or other evaluation techniques to monitor compliance and assist in the reduction of identified problem areas.

ILA recognizes the need for internal controls, and has implemented and monitors compliance with internal controls to the greatest extent possible. To do so, effective and efficient internal auditing occurs.



- All ILA contractors are required to fully cooperate during an Agency sanctioned internal Audit.
- Audits may be announced or unannounced, full cooperation is expected
- Failure to fully cooperate during the course of an Agency sanctioned audit will lead to corrective action, which can include termination of service.

### **Federal and State Programs**

ILA is committed to complying with the laws and regulations that govern the federal and state programs that it administers. Policies and procedures, the Compliance Program and this Code of Conduct are developed to provide guidance in your day-to-day work. You must abide by the policies and procedures and the standards set by the Agency.

### **Governmental Investigations**

There may be times that the Agency is asked to cooperate with an investigation by a federal or state governmental agency, or to respond to a request for information. A request may be formally addressed to the Agency or an individual within the Agency. Contractors must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

### **Political Activities and Contributions**

Because the Agency is a non-profit organization, it is prohibited from engaging in any political campaign activities and a “substantial” amount of lobbying.

- Agency funds and resources, including your consultative time, may not be used for political contributions or activities.
- You may not act as a representative of the Agency in any political campaign activity. In expressing your personal political views or support or opposition of a candidate for public office, it must be very clear that you are expressing your personal view, support or opposition as an individual and not a representative of the Agency.
- Laws and regulations prohibit a “substantial” amount of lobbying. There are allowances for the Agency to advocate its position on public issues. To assure that the Agency does not violate any laws or regulations, or risk losing its tax-exempt status, you must seek prior approval from the Compliance Officer before engaging in any lobbying activities in which ILA may be named on your behalf. The Compliance Officer may need to consult with legal counsel on the matter and will need to record the amount of time spent in lobbying activities.

### **Employment Environment**

Independent Living Association, Inc. is committed to creating a safe and professional workplace where contractors and others are treated with respect and without regard to their race, sex, age, religion, national origin, color, marital status, disability, or other protected characteristics.



Business integrity, teamwork, trust and respect are the Agency's most important values. Unlawful discrimination or harassment of any sort violates these values. All Agency contractors must exhibit and promote respect, integrity, trust and teamwork in the workplace and must comply with this policy prohibiting discrimination and harassment in all facets of the Agency's work.

- All contractors are required to support the Agency's commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.
- All contractors are prohibited from joking about another employee's race, sex, age, religion, national origin, color, marital status, disability, or other protected characteristics.
- All contractors are prohibited from considering someone's race, color, religion, sex, national origin, age, disability, or other protected characteristic in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits and other work terms.
- Sexual harassment is prohibited. Sexual harassment includes any form of unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual or sex-based nature.

The principles contained within this Code of Conduct are standards to which all of ILA's contractors must abide. By my signature below, I acknowledge that I received the Code of Conduct and understand all of the information and attest that I will abide by these principles throughout my employment with ILA. I also understand that to do otherwise will have consequences.

Name

Signature

Date

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