



Standards of Conduct August 2023

Mission and Values

Working collaboratively with individuals, families and the community, The Arc of Rensselaer (“the Agency”) empowers and enables children and adults with neurologically based learning disabilities, autism and other developmental disorders to lead independent, productive and fulfilling lives. The Agency’s Mission is:

Advocacy: The mission of The Arc of Rensselaer County is to advocate for the rights and safety of individuals of all ages who have an intellectual disability and/or a developmental disability or delay.

Resources: The Arc is a source of support, specialized knowledge, and available resources in assisting individuals and their families to meet their needs and goals.

Community: The Arc works to influence societal attitudes and governmental policy so that people with intellectual and developmental disabilities will have access to the services, assistance, and opportunities they need for personal growth and development, and participation in the community.

Intent

The Agency’s Standards of Conduct applies to all Affected Individuals. Affected Individuals is defined as “All persons who are affected by the required provider’s risk areas including the required provider’s employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, and governing body and corporate officers.”

The Standards of Conduct had been approved by the Agency’s Board of Directors and is a formal statement of the Agency’s commitment to the standards and rules of ethical conduct.

The Agency is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible after discovery, and disciplining/sanctioning Affected Individuals who violate the Standards of Conduct, including Affected Individuals who neglect to report a violation by others, of which they are aware.

All Affected Individuals must comply with the Standards of Conduct, immediately report any alleged violations or wrongdoing, and assist management and compliance personnel in investigating allegations of wrongdoing.

While the standards addressed in the Standards of Conduct are intended to guide Affected Individuals in the course of their day-to-day responsibilities, they do not replace any Agency or program policies and procedures. There may be instances that are not addressed by the Standards or by existing policies and procedures, and Affected Individuals may become involved in activities that may conflict with these standards. Affected Individuals must seek direction from their supervisors, other Agency management staff or the Compliance Officer in such instances.

Ethics

(see “Promoting Employee Ethics” policy for further detail)

It is the Agency’s policy to observe all laws and regulations applicable to its business and to conduct business with the highest degree of integrity. To accomplish this, all Affected Individuals must obey the laws and regulations that govern their work and always act in the best interests of the people we serve, their families and the Agency.

Guidelines for Affected Individuals:

- You are expected to keep management staff informed of what you are doing; to document or record all services and transactions accurately; and to be honest and forthcoming with the Agency, regulatory agencies, and internal and external auditors.
- You are expected to comply with the Agency’s Policies and Procedures, accounting rules and internal controls.
- You are expected to function with honesty in your work for the Agency and with the people we serve, providers, suppliers and all others with whom the Agency does business.

Conflict of Interest

(See Corporate Compliance “Conflict of Interest” policy for further detail)

Affected Individuals must not allow any outside financial interest, or competing personal interest to influence their decisions or actions taken on behalf of the Agency. Affected Individuals must avoid any situation where a conflict of interest exists or might appear between their personal interests and those of the Agency. The appearance of a conflict of interest may be as serious as an actual conflict of interest.

Guidelines for Affected Individuals:

It is a conflict of interest for you to take Agency property for personal use, 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.

Outside Activities and Employment

- Generally, you may not conduct outside activities during work time. Such activities interfere with your regular duties and negatively impact the quality of your work.
- You are a representative of the Agency in your everyday life and must represent the Agency positively in the community.
- Outside employment must not conflict in any way with your responsibilities to the Agency or the individuals and families we serve.

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, concepts, business plans and strategies, information about people served, financial information, computer property rights, and other business information about the Agency.
- You may not use Agency 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 employment or engagement with the Agency, you may acquire confidential information about the Agency, its staff and the people we serve that must be handled in strict confidence and not discussed with outsiders. The protection of confidential business, staff and protected health information is very important. (See "HIPAA Privacy Policies" for further detail).

Business Dealings Between the Agency and Affected Individuals:

- The Agency will not be inappropriately influenced with goods or services from any business in which you or your immediate family members have a substantial interest.
- Property and resources of the Agency should only be used for the benefit of the Agency or the people we serve.

Maintenance of Records

Affected Individuals must record and report all agency, service documentation and financial information fully, accurately and honestly. Records include, but are not limited to records of the people we serve, documentation of services, accounting books or records, financial statements, timesheets or records, expense reports, vouchers, bills, payroll, claims payment records, correspondence and any other record of communication. Affected Individuals must not omit or conceal any relevant information.

Guidelines for Affected Individuals:

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

Falsification of Records

- You may not make any false entries in any of the Agency's records or in any public record for any reason.
- You may not alter any permanent entries in the Agency's records.
- You may only approve payments or receipts on behalf of the Agency that are described in documents supporting the transaction. "Slush funds" or similar off-book accounts, where there is no accounting for receipts or expenditures on the agency books, are strictly prohibited.
- You may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.

Expense Records

- You must always charge expenses 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.

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, 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. (See "HIPAA Privacy Policies" for further detail).

Guidelines for Affected Individuals:

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 that 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 the people we serve 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. The Compliance Officer must be consulted prior to the release of confidential Agency information when a legitimate business purpose for the release of information exists.

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.

Termination of Employment/Engagement with the Agency

- You may not use any confidential information gained from your employment/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 termination of employment/engagement with the Agency, you must return all Agency property including, but not limited to, copies of documents, notes, and other records containing confidential information; computers; Agency ID; keys and credit cards.

Information Security

- 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. (See "Mobile Device" and "Information Technology Usage" policies in the Employee Handbook for further detail).
- Do not share your system user name or password with another person or allow another to access the computer with your password.
- All employees are required to comply with the Agency's Computer, Electronic Mail and Internet Use Policy in the Employee Handbook. If you have any questions concerning information security, contact your immediate supervisor or Compliance Officer.

Fair Dealing

Conducting business with providers, contractors, suppliers, the people we serve, and competitors may pose ethical problems. Affected Individuals are expected to deal fairly with providers, contractors, the people we serve, and competitors.

The Standards of Conduct, including the following guidelines, is intended to help you make appropriate, responsible and correct decisions in these and all matters:

Kickbacks and Rebate

- Kickbacks and rebates in cash, credit or other form are prohibited. They are not only unethical, but in many cases, illegal.

Gifts and Gratuities and Entertainment

- You may not solicit money, gifts, gratitude or any other personal benefits or favors of any kind from providers, contractors, producers, accounts, or the people we serve and their families.
- You must not offer or accept entertainment that is not a reasonable addition to a business relationship but is primarily intended to gain favor or to influence a business decision.
- At times, the people we serve and/or their families may choose to give employees a gift of appreciation. You may not accept gifts in excess of a value of \$75 without the approval of the Compliance Officer.

Agreements with Contractors and Vendors

The Agency must assure that any agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not excessive in terms of industry practice and equal in the value to the services rendered.

Improper Use of Funds or Assets

Use of the Agency's funds or assets for any improper purpose is strictly prohibited. If you are aware of or have reason to believe that funds or assets are being improperly used, you must report this immediately to your supervisor or the Compliance Officer.

Federal, State, County or Local Programs

The Agency is committed to complying with the laws and regulations that govern the Federal, State, county and local programs that it administers. The Compliance Plan, Compliance Policies and Procedures, and this Standards of Conduct are developed to provide guidance in your day-to-day work. You must abide by the Policies and Procedures 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. Affected Individuals must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

Political Activities and Contributions

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

Guidelines for Affected Individuals:

Agency funds and resources, including your work 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 and/or opposition to 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 as 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. 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

The Agency is committed to creating a safe and professional workplace where employees and other Affected Individuals are treated with respect and without regard to their race, sex, age, religion, national origin, color, marital status, disability, sexual orientation, or other protected characteristics. All Agency employees must exhibit and promote respect, integrity, trust and teamwork in the workplace and must comply with the Agency’s Equal Employment Opportunity and Harassment Policy in the Employee Manual, prohibiting discrimination and harassment in all facets of the Agency’s work.

Guidelines for Employees:

All employees are required to support the Agency’s commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.

All employees are prohibited from joking about another employee’s race, sex, age, religion, national origin, color, marital status, disability, sexual orientation, or other protected characteristics.

All employees are prohibited from considering someone’s race, color, religion, sex, national origin, age, disability, sexual orientation, or other protected characteristic in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits and other terms of employment.

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.

You are responsible for understanding the Agency's policy prohibiting discrimination and sexual harassment. You should consult with an appropriate supervisor or administrator if you have questions about your right to a workplace free from unlawful harassment or discrimination or if you have questions about your duty to avoid discrimination. (See "Dealing with Discrimination Harassment, Retaliation, and Workplace Violence" policy in the Employee Handbook and "Ensuring Positive Working Condition" policy in the Supervisor's Manual for further detail).

Seeking Guidance and Reporting Violations

Affected Individuals must report any actual or suspected violations of this Standards of Conduct, any applicable law or regulation, or any Agency policy or procedure to their immediate supervisor or the Compliance Officer. A Compliance Hotline is also available for confidential or anonymous reporting of such issues. The Compliance Hotline number is (518) 687-1395.

When an actual or suspected violation of this Standards of Conduct, any applicable law or regulation, or any Agency policy or procedure is reported to any Affected Individual, it must be promptly referred to Human Resources, or for issues of compliance, to the Compliance Officer. Steps will be taken to protect confidentiality and anonymity, as appropriate and warranted. The Agency will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with this Standards of Conduct.

All Affected Individuals must cooperate fully and honestly in any investigation into a reported violation of this Standards of Conduct, any applicable law or regulation, Agency policy, procedure or practice.

Corrective Action and/or Discipline

Any Affected Individual who violates or knowingly fails to report any violation of this Standards of Conduct, any applicable law or regulation, Agency policy, procedure or practice is subject to appropriate disciplinary action or sanctions, up to and including termination of relationship with the Agency. (Also see "Promoting Employee Ethics" policy in the Employee Handbook and Supervisor's Manual for further detail). Disciplinary action or sanctions may range from a warning to suspension or discharge, depending upon the nature of the incident and the relevant surrounding circumstances.

Your Responsibilities

- Attend required training, and read and understand the Agency's Corporate Compliance Plan, Corporate Compliance Policies and Procedures, and Standards of Conduct.
- Follow the Agency's Standards of Conduct and abide by all policies and procedures, guidelines, and Federal, State, and local laws and regulations.

- Be alert to any situation that could violate the Agency's Standards of Conduct, policies and procedures, guidelines, and/or, State and local laws and regulations.
- Promptly report any issues, concerns, violations or suspected violations to your supervisor, other management staff, Chief Human Resources Officer, Compliance Officer, or the Chief Executive Officer.

Corporate Compliance Committee Review: 9/22/2023

Board of Directors Approval: 10/18/2023