



# ***LEADING BY EXAMPLE***

## **United Way of Atlantic County Code of Ethics**

**Revision Draft  
January 7, 2010**

**LIVE UNITED™**



## **Open Letter to United Way of Atlantic County Staff, Volunteers & Representatives**

For more than 70 years, United Way of Atlantic County has been making a positive impact on our community's most pressing health and human service needs. As we did this we created a reputation, and an expectation, for high standards of lawful and ethical conduct. This extraordinary high level of trust within the community and among our stakeholders perhaps, is our greatest asset.

United Way of Atlantic County's success depends on the maintenance of the trust placed in the organization by the community and our stakeholders. Therefore, we ask each person associated with United Way of Atlantic County to make a personal commitment to lawful and ethical conduct and to follow our Code of Ethics. The organization's Core Values and the 15 Code Provisions are intended to guide us in our ethical commitment and conduct.

United Way of Atlantic County's leadership has the responsibility of fostering a culture in which compliance with the Code Provisions is at the core of our business activities. In addition, each individual is responsible for raising questions or concerns about what is proper conduct for you, or anyone else affiliated with the organization. An assigned Ethics Officer, board member Eileen Oakes Muskett, Esq., will address concerns about inappropriate conduct with care and respect.

We are privileged to be associated with one of the world's premier health and human service organizations. With so much at stake, we must preserve and strengthen what has been, and continues to be, United Way of Atlantic County's foundation for success – trust in our work and our commitment to the highest standards of lawful and ethical conduct. Thank you for your strong and unwavering support of this Code.

John Emge  
Executive Director

Barbara Lang  
President, Board of Directors

## ***Leading By Example***

### **United Way of Atlantic County Code of Ethics**

This Code of Ethics reflects and guides the conduct of all levels of employees and unpaid representatives of the United Way of Atlantic County (UWAC).

#### ***Personal Integrity***

A personal commitment to integrity in all circumstances benefits each individual as well as the organization. Each UWAC employee and volunteer shall:

- Respect and seek out the truth and avoid misrepresentation.
- Ensure fairness and objectivity in all activities.
- Set an example for high standards of professionalism.
- Honor the right of privacy, respect, dignity and individuality of all people, including co-workers, contributors and beneficiaries.
- Promote public confidence in philanthropic institutions.

#### ***Conflict of Interest***

To avoid even the appearance of a conflict of interest that would tarnish the image of the organization and undermine the public's trust in all United Way organizations, employees and volunteers must:

- Avoid any activity or outside interest that conflicts, or appears to conflict, with the best interests of UWAC. Any involvement with a current or potential UWAC vendor, grant organization, or employee of a vendor or grant organization may violate this code and should be cleared with the employee's supervisor.
- Refrain from participating in (other than providing factual information) any decision or other action of UWAC that could result in a direct or indirect benefit to such employee or member of his or her family.

#### ***Personal Gain***

No employee or volunteer should accept gratuity or favor for doing his or her job or service. Accordingly, UWAC employees and volunteers shall not:

- Solicit or accept gratuities, gifts or favors, other than promotional gifts of nominal value, for themselves or their families.
- Accept food, transportation, lodging, or entertainment unless directly related to UWAC business.
- Use UWAC resources for personal gain.

#### ***Travel, Entertainment and Related Expenses***

Travel, entertainment and related expenses shall only be incurred on a basis consistent with good, efficient business practices and with the mission of UWAC. Accordingly, these expenses will be reimbursed only if they comply with policies adopted by the UWAC Board of Directors.

#### ***Outside Employment and Other Activities***

Employees must ensure that any of their outside employment and other activities do not interfere with their responsibilities within UWAC and do not adversely affect UWAC. Every employee is encouraged to inform his or her supervisor of any significant outside activities. An employee may not use UWAC resources to facilitate any outside employment or other activity.

### ***Political Contributions/Activity***

United Way of Atlantic County encourages and embraces individual participation in civic affairs. However, as a charitable organization, UWAC may not make contributions to any candidate for public office or political committee and may not intervene in any political campaign on behalf of or in opposition to any candidate for public office. In addition, lobbying and advocacy activities will be nonpartisan and will only be part of our overall activities aimed at providing community impact. Accordingly, employees and volunteers will:

- Refrain from making any contributions to any candidate for public office or political committee on behalf of UWAC.
- Refrain from making any contributions to candidates for public office or political committee in a manner that may create the appearance that the contribution is on behalf of UWAC.
- Refrain from using organizational financial resources, facilities, or personnel to endorse or oppose a candidate for public office or political committee or to influence legislation.
- Refrain from using your organizational authority to coerce or attempt to command or advise an employee to contribute anything of value for political purposes.
- Refrain from engaging in political activities in a manner that may create the appearance that such activity is by or on behalf of UWAC.
- Clearly communicate you are not acting on behalf of the organization, while engaging in political activities as an individual.

### ***Nepotism***

Favoritism to relatives is unfair to other employees, and the appearance of favoritism is easily perceived. Accordingly, each UWAC employee and volunteer understands that:

- Persons related to UWAC employees by blood or marriage, or in other significant ways, are not employed by UWAC except under special circumstances that are clearly in the best interest of UWAC. These circumstances are to be disclosed to the UWAC Executive Committee prior to the employment of that individual.
- UWAC employees shall never have supervisory or management authority over relatives.
- UWAC employees with decision-making authority shall avoid selecting a consultant or services provider who is a relative or personal friend, or who employs or is affiliated with a relative or personal friend.

### ***Solicitations***

UWAC employees shall not be subjected to outside solicitation. Further, employees should be free from unwarranted interruptions in the form of solicitation from other employees, in order to concentrate on work. A UWAC employee shall not be required to contribute or respond to a solicitation, or fear that his or her response will be a factor affecting his or her career with the organization.

### ***Confidential Information***

Confidentiality is a hallmark of professional conduct and a cornerstone of UWAC's value and integrity for our donors, with whom we have a relationship based on trust and effective stewardship of contributions and information provided to us. Donors, corporations, member agencies, and other agencies rely on our ability to utilize and manage information with the highest degree of confidentiality. Each UWAC employee and volunteer must:

- Ensure that they do not disclose inappropriately any and all information which is confidential or privileged, or which is not publicly available.
- Ensure that all non-public information about other persons or firms, which is acquired by UWAC personnel in the course of their work on behalf of UWAC, is treated as confidential and not disclosed outside of UWAC.

### ***Accountability and Efficiency***

UWAC has responsibilities to its customers, which include donors, funded agencies and other stakeholders who have placed faith in UWAC. To uphold this trust, UWAC employees and volunteers are expected:

- To make full and fair disclosure of all relevant information to customers, who have a right to know how their dollars are spent.
- To spend customers' money wisely, efficiently and objectively.
- To be good stewards of contributions that are utilized by UWAC to pay operating expenses, salaries and employee benefits, and refrain from allowing expenditures of UWAC funds that by their nature or amount do not directly advance UWAC's mission.

### ***Vendor Relations***

Vendors shall be treated fairly to avoid favoritism or appearances of impropriety. UWAC staff and volunteers shall:

- Afford vendors the opportunity to offer or qualify their products or services on a competitive basis.
- Conduct all competitive bidding in a fair and professional manner, giving no special preferences or advantages to any vendor.
- When vendors are selected without competitive bidding, negotiate in good faith to achieve a benefit for UWAC.

### ***Equal Opportunity***

UWAC is an equal opportunity employer. Every employee and volunteer shall:

- Respect co-workers and all other individuals without regard to race, color, sex, sexual orientation, religion, national origin or ancestry, age, marital or veteran status, or status as a qualified disabled or handicapped individual.
- Support equal employment opportunity programs throughout UWAC.
- Refuse to engage in, or tolerate in any others, any form of sexual harassment as provided in the organization's written policy against sexual harassment.

### ***Professional Excellence***

As an employer, UWAC promotes professional excellence and encourages open and honest communications among all employees to create an atmosphere conducive to personal growth and career development.

UWAC's management staff and volunteer leadership shall:

- Encourage employee development, and communicate with personnel to help them achieve their goals and increase their self-esteem through job enrichment.
- Evaluate employees on a fair and consistent basis, so that all employees know what is expected of them and how they are progressing toward fulfilling expectations.
- Show respect and empathy for employees, and be considerate while being mindful of managerial responsibilities.
- Regularly solicit and respect the opinions of subordinates.

All UWAC employees and volunteers, at every level, are expected to:

- Strive to meet performance standards at the highest level.
- Refuse to engage in or tolerate any fraud, misuse, abuse or waste of UWAC resources.
- Encourage growth and self-improvement in themselves and their co-workers.
- Exhibit respect for co-workers and all persons they come in contact with.

- Have the courage to face situations squarely and offer a minority opinion when necessary.
- Examine all alternatives with the understanding that the easiest action is not always in the best interest of the organization.
- Comply with all legal requirements concerning substance abuse.
- Comply with all other laws and regulations affecting the organization.
- Discuss any question concerning interpretation or compliance with the Code of Ethics with their manager or other designated person.
- Encourage the reporting of violations and protect those who report.

### ***Staff Responsibilities to Volunteers***

Volunteers who serve UWAC through its Board of Directors and standing or other committees are crucial to the success of UWAC. In order to assist volunteers to serve effectively and to obtain satisfaction from their service, UWAC management and employees shall:

- Support volunteers so they can perform to the highest level of their capability and personal satisfaction.
- Treat all volunteers with fairness, equity and respect, providing appropriate mechanisms for their views and interests to be expressed.
- Involve volunteers at appropriate levels and phases of the decision-making process.
- Assist in the development and understanding of the roles of volunteers and employees, respectively; set clear standards of performance for volunteers; and appropriately recognize their contributions.
- Provide benefits and perquisites to volunteers that are consistent with the spirit of volunteerism.

### ***Responsibility of Volunteers***

Volunteers also represent UWAC and set examples through their ethical conduct and professionalism:

- Volunteers review the Code of Ethics of UWAC and ensure that they adhere to the spirit of the Code when making policy or otherwise managing the affairs of the organization.
- A volunteer does not knowingly take any action or make any statement intended to influence the conduct of UWAC in such a way as to confer any financial benefit on such volunteer, or member of his or her immediate family.
- In the event that there comes before the Board of Directors, Executive Committee, or any other standing committee or task force, a matter for consideration that raises a potential conflict of interest for any member of the Board or the committee, the member shall disclose the potential conflict of interest as soon as he or she becomes aware of it. In this circumstance, the volunteers shall not participate during discussion (except to provide factual information), review or vote in connection with the matter. The disclosure and withdrawal shall be recorded in the minutes of the meeting; and each member shall file annual disclosure of potential conflicts with the Board of Directors, or committees on which he or she serves

### ***Report Violations***

UWAC strongly urges the reporting of all incidents which are believed to be in violation of the UWAC Code of Ethics, regardless of the offender's identity or position. Individuals who believe they have witnessed or have knowledge of conduct that they believe is contrary to UWAC's Code of Ethics as stated above or who have concerns about such matters should bring their complaints, reports or concerns to John Emge, Executive Director or, in the case of a perceived conflict, then to the Ethics Officer, Eileen Oakes Muskett. Individuals should not feel obligated to bring their complaints, concerns and reports of perceived ethics violations in writing, but written notice by email or memo is preferred to insure prompt notice and expedited response.

Early reporting and intervention have proven to be the most effective method of resolving actual and perceived ethics violations. Therefore, while no fixed reporting period has been established, UWAC strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

## ***Investigation and Enforcement***

The guidelines below shall serve as an outline for conducting investigations following complaints of an ethics violation. This outline is to serve as a guide for individuals conducting investigations into charges of ethics violations with the understanding that on a case-by-case basis some modifications of these guidelines may be required.

### **I. General Requirements for all Ethics Investigations**

All formal complaints of an ethics violation shall be investigated by John Emge, or if deemed appropriate by the Executive Director or because of a conflict of interest, by the Ethics Officer.

All investigations of formal complaints of an ethics violation will be completed promptly following receipt of the complaint by John Emge.

Following the completion of the investigation, a copy of the Investigative Report will be provided to the Executive Director who shall promptly determine the company's response to the investigative findings and may, in his discretion, seek the advice and assistance of the Board President, the Ethics Officer, and/or outside counsel. If the complaint regarding an ethics violation is articulated against the Executive Director, the Investigative Report will be provided to the Board President only. If the complaint includes allegations against the Board President or Ethics Officer, they shall not be consulted regarding the response to the investigative findings.

A summary of the factual findings of the Investigative Report and the UWAC's response to the factual findings shall be provided to the complainant and the accused. The letters should be sent from the Executive Director.

### **II. Factual Investigation**

The factual investigation of an alleged violation of this policy may include the following, which will be dependent upon the individual facts and circumstances of the complaint: interview of the complainant, interview of the accused, interview of any pertinent witnesses and review of pertinent documents or electronic data. Once the necessary factual information is gathered, investigator shall prepare an investigative report which shall be provided to the Executive Director.

## ***Ethics Officer***

The Ethics Officer is familiar with UWAC's Code of Ethics and serves as a resource to the officers and members of the Board of Directors on all issues arising under or related to the Code of Ethics involving officers, board members, staff and/or volunteers.

The Ethics Officer oversees the annual distribution and review of the Code of Ethics and will be responsible for the organization of educational presentations to the Board on ethics at such times as may be requested by the Board.

## ***Glossary***

Candidate for Public Office - an individual who offers herself/himself or is proposed by others as a contestant for an elected public office, whether such office is federal, state, or local.

Confidential Information - information entrusted to another person, with an understanding of privacy.

Coercion - the threat of the intention of forcing someone to do something.

Nonpublic Information - any business, financial or personal information that is not publicly known or available.

Political Committee - any party, committee, association, fund, or other organization organized and operated primarily for accepting contributions to influence the selection, nomination or election of any individual to any federal, state or local office.

Political Contributions - anything of value, including monetary and in-kind gifts, provided for the purpose of influencing the outcome of an election.

Privileged Information - information protected from involuntary disclosure by legally recognized privileges such as attorney-client, et al.

Promotional Items of Nominal Value - gifts used to promote an entity's name, product, or services with a retail value of \$25 or less.

Representatives - individuals who provide personal services to UWAC as independent contractors, consultants, or loaned campaign specialists.

Staff - individuals who provide services to UWAC as employees.

Stakeholders - an individual or entity that shares a vested interest in the vision/mission of UWAC.

Transparency - implies openness, communication and accountability.

Vendors - entities that provide goods and services to UWAC for a fee.

Volunteers - all members of the UWAC Board of Directors, all committees appointed by the Board of Directors, and others working on behalf of the organization that performs their duties without compensation.

### ***Additional Information***

Independent Sector (IS), a leadership forum for charities and foundations, offers a broad collection of resources on their website for more information pertaining to an organization's Code of Ethics. They also have the codes of other organizations which can be helpful in understanding the provisions of our code. The IS website can be found at: [http://www.independentsector.org/members/code\\_main.html](http://www.independentsector.org/members/code_main.html)

Receipt and Agreement

I hereby certify that I have received, read and understand the Code of Ethics of United Way of Atlantic County (UWAC). I have obtained an interpretation of any provision about which I had a question.

As an employee, I understand that this Code is reflected in policies contained in our Employee Handbook, and I agree to comply with it and all of the organization's policies, procedures, and work rules while I am an employee of UWAC. I acknowledge that I am to contact my supervisor, or the Executive Director, with any questions I may have about the Code of Ethics and its application to my key responsibilities and relationships performed on behalf of UWAC.

I further certify that (check appropriate box):

- To the best of my knowledge, I am not in violation of UWAC's Code of Ethics and have not been in violation since the date of my last certification or as of the date on which I became a Board Member, employee, or volunteer of UWAC.

Or

- I have made full disclosure on the back of this certificate of (1) the facts regarding any possible violation of the principles set for in the Code of Ethics, and (2) any positions held as an employee, officer or director of a for-profit business enterprise or not-for-profit organization that could pose a potential conflict of interest with my role at UWAC. Except for this disclosure, to the best of my knowledge, I am not in violation of UWAC's Code of Ethics and have not been in violation since the date of my last certification or as of the date on which I became a Board Member, employee, or volunteer of UWAC.

\_\_\_\_\_  
**Name** of UWAC Board Member / Employee / Volunteer (*Please Print*)

\_\_\_\_\_  
**Title** of UWAC Board Member / Employee / Volunteer **if applicable** (*Please Print*)

\_\_\_\_\_  
**Signature** of UWAC Board Member / Employee / Volunteer

\_\_\_\_\_, 20\_\_\_\_  
**Date**