

Human Resources

Policy #HR-16

Subject: Ethical Conduct (to include Whistleblower Protection)

Date: 1/1/76

Revised: 6/2/82, 1/1/86, 5/14/91, 12/7/93, 10/15/02, 11/01/06, 12/30/10, 4/28/14, 11/10/17

Reviewed: 1/1/84, 1/1/85, 2/14/89, 5/5/95, 9/17/96, 1/5/98, 1/5/99, 6/1/00, 10/01/01, 10/15/03, 10/01/04, 10/14/05, 11/01/07, 10/14/08, 12/30/09, 3/1/12, 3/29/13, 3/31/14, 3/30/15, 3/28/16, 3/31/17, 3/30/18, 3/22/19, 4/3/20, 4/14/21, 4/1/22

Purpose: To promote the ethical conduct of staff as it relates to work, clients, and fellow employees to include offering a confidential, non-retaliatory process for the reporting of suspected misconduct and / or questionable practices (i.e., Whistleblower protection).

Policy: In the performance of duties, an employee of Daniel has the following basic obligation in relation to clients, the Agency, fellow colleagues and other professionals and individuals associated with the Agency.

A. In Relation to Clients the Employee Shall:

1. Regard the welfare of people Daniel serves by respecting client rights as the primary responsibility.
2. Accept that in professional relationships professional responsibility takes precedence over the employee's personal aims and views. Employees are not to establish a personal relationship with current or former clients. This policy extends to inappropriate or potentially inappropriate clinical interventions, emotional involvement, social, and business relationships.
3. Respect and safeguard the right of persons served to privacy in their contacts with Daniel, and to confidential and responsible use of the information given by the person served within the provision of the law.
4. Reserve the right, as a provider of direct professional service to patients, to refuse at any time to participate in the care or treatment of any particular client or group of clients on the ground of religious, ethic, cultural or moral considerations or persuasions.

B. In Relation to the Agency the Employee Shall:

1. Realize that one's personal life-style and activities on and off the job do reflect on Daniel credibility. Social services agencies by tradition, employ staff of good moral character, responsible citizenry and commitment to high standards of appearance, cleanliness and personal behavior. Violation of the law and social improprieties can lead to a staff member's dismissal, whether work related or not. Any violation of the law should be reported to the HRD immediately (prior to working an assigned shift).

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2. Act as good role models and reflect sensitivity to the feelings of clients, parents and general public.
3. Be fully knowledgeable concerning the Daniel services, programs, policies and procedures.
4. Be held responsible for quality and quantity of performance in carrying out established procedures, objective and policies; and work continuously through Agency channels to improve the services.
5. Abide by all provisions of any written employment agreement.
6. Distinguish clearly, in public, between statements and actions as an individual and as a representative of the Agency.
7. Not consume alcoholic beverages prior to or during working hours. Such use may be cause for dismissal or other disciplinary action. The use of illegal drugs, both on or off the job, is also prohibited and cause for dismissal. Daniel reserves the right to require staff to participate in drug screening at any time.
8. If Agency policies or procedures, appear to be inequitable in their effect upon a particular employee to report this condition through appropriate Agency channels.
9. If felt to have been treated unfairly, to formulate a grievance on the basis of objective evidence and seek redress through appropriate Agency channels by means of the grievance procedures.
10. Not accept favors, gifts, gratuities, or take part in any activities or transactions that relate to, effect or influence decisions made for, regarding, or an behalf of the agency.
11. Not use donor information or relationships inappropriately or in ways that may damage donor confidentiality and/or relationships within the agency.

C. In Relation to All Fellow Staff Members the Employee Shall:

1. Treat all colleagues with respect regardless of position.
2. Conduct him/herself in such a way to support colleagues in fulfilling their responsibilities.
3. Treat respectfully difference of opinion between him/her and other colleagues.
4. If conflicts arise, take positive steps through established channels to resolve the issues.

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D. In Relation to the Staff the Agency Shall:

1. Provide a workplace free of tension involving matters which do not relate to Agency business. In particular, an atmosphere of tension created by ethnic or religious remarks or animosity, unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature does not belong in the workplace. No form of harassment will be tolerated.
2. Shall investigate any verbal or physical misconduct reported to the Human Resources Department. All inquiries will be held in utmost confidence and the matter will be investigated and dealt with fairly and quickly.

E. In Relation to Other Social and Human Service Organizations, the Employee Shall:

1. Treat these members with respect regardless of position or relation to the Agency.
2. Conduct him/herself as a professional in all interactions with any Daniel customer, whether internal or external.
3. Refrain from discussing issues not related to the specific organization with which he/she is working.
4. Refrain from "bad mouthing" any social and human service organization.

F. In Relation to Making and Accepting Referrals and/or Preferential Treatment the Employee and Agency Shall:

1. Not make or accept payment or other consideration in exchange for referrals;
2. Steer, direct referrals to, or give preference to clients easier or less costly to serve for the agency;
3. Steer or direct referrals to private practices in which personnel, consultants, or the immediate families of personnel and consultants are engaged.
4. Prohibit preferential treatment of agency members (to include family members), community partners, and board members requesting agency/program services.

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G. In Relation to Whistleblower Protection:

1. The agency shall offer a confidential (to the extent possible to thoroughly investigate the complaint) forum for employees or other agency affiliates to appropriately raise concerns regarding any form of misconduct or questionable agency practices, including, but not limited to, an ethics violation, suspected violation of law, complaint of discrimination, suspected fraud, or suspected violation of any regulation governing the operations of the agency, and to prohibit any form of retaliation for such a report. Any employee who retaliates against someone who has reported a concern in good faith is subject to discipline, up to and including termination of employment.
2. Anyone filing a concern regarding agency misconduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly false will be viewed as a serious disciplinary offense.
3. The agency has an open door policy and suggests that concerns be raised with any member of the agency management team, who will then report the concern to the President/CEO and applicable Vice President. However, concerns may be reported directly to the President/CEO and/or applicable Vice President.
4. The President/CEO and applicable Vice President will be responsible to ensure all concerns are promptly investigated and successfully resolved, to include the notification of the program Director of the affected agency program(s), and the individual who raised the concern. If the individual who raised the concern is unsatisfied with the investigation or any part of the process, he or she may submit a written document clearly stating the concern to the chairman of the board of trustees. The chairman will convene with the executive committee of the board to review, investigate and render a final recommendation and/or decision.

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