

PROCEDURE

Series:	HR-Practices	COA: HR 5.02; ETH 2, 4, 5; TS 2.01
Procedure Name:	Employee Code of Conduct	CFOP:
Procedure Number:	HR 2301	
Reviewed Date:	12/1/15	
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Effective Date:	09/04	
Applicable to:	All BFP Family of Agencies (FOA) Staff, Independent Contractors, Volunteers, and Interns	

PURPOSE: To ensure the BFP FOA maintain a working environment, which encourages mutual respect and promotes respectful and congenial relationships between and among employees. To establish the expectations of all staff to adhere to agency policies, practices, and the values and principles of the System of Care, and to encourage collaborative, solution-based expectations and teamwork. To document specific behaviors and actions that are considered grievous and serious enough to result in immediate disciplinary action including employment separation.

To establish rules pertaining to employee conduct, performance, and responsibilities, so that all personnel can conduct themselves according to certain rules of good behavior and good conduct.

References: HR2806 – Administrative Leave, HR2502- Employee Conflict of Interest

PROCEDURE:

1. The BFP FOA are firmly committed to their beliefs and attitudes regarding integrity, developing and maintaining positive work relationships with both internal and external stakeholders, and complying with all applicable laws. Each officer and employee of the BFP FOA is expected to embrace these principles and apply them in the performance of their work, and in their relationships with clients, vendors, and co-workers. Employee conduct reflects directly on the agency, and as such, employees are always expected to observe the highest standards of integrity and professionalism. This code affirms the agency's commitment to uphold high moral and ethical standards and specifies the basic norms of behavior for those who are involved in representing the agency.
2. Each officer and employee are expected to fully comply with the letter as well as the spirit of all lawful requirements applicable to the agency's work. If you encounter a situation that is not clear, or you have a concern of a legal interpretation, please immediately direct your question to your supervisor, or the Division Director, or any of the Executives of the Agency.
3. The following are minimal standards of conduct to which all employees and related staff identified are expected to:
 - Adhere to the values and principles of the BFP FOA.

PROCEDURE

- Adhere to the standards of conduct and ethics required by their specific certifications, licensure, or related programs at all times.
 - Promote the agency Mission.
 - Serve as an agent of change and collaboration.
 - Communicate with co-workers, supervisors, clients, and other stakeholders, in a respectful manner with sensitivity to differences in cultural and economic differences.
 - Always promote a positive work culture.
 - Approach all matters from a solution-focused orientation.
 - Mentor those in need of support.
 - Attend meetings consistently and on time.
 - Make decisions that are deemed in the best interest of the agency and those we serve.
 - Maintain the highest level of confidentiality, as required and appropriate.
 - When appropriate, serve as a spokesperson supporting decisions made.
 - Strive to promote and contribute toward continuous quality improvement; and
 - Be an active participant in decision-making and consensus-building.
4. Employees whose duties permit or require them to do so may provide entertainment or modest gifts to business employees other than public officials. However, sound business judgment must be exercised to ensure that the gift or entertainment does not violate any laws and are made in accordance with generally accepted ethical and business practices.
 5. The BFP FOA are governed by many regulations and statutes. Among them is the “Sunshine Law”, which means that many meetings must be publicly noticed, and that any citizen may attend. Any dealings among officers or employees of the agency and public officials are to be conducted in a manner that will not compromise the integrity or damage the reputation of any public official or the agency, and does not in any way violate any requirement, statute, or regulation.
 6. Even the appearance of impropriety in dealing with public officials is improper and unacceptable. Participation, directly or indirectly, in bribes, kickbacks, illegal gratuities, or contributions is expressly forbidden. Maintenance of the highest standard of integrity is of the utmost importance to the agency, and a breach of this value is grounds for disciplinary action up to, and including, termination of employment.
 7. Any use of agency’s funds, goods, services, or relationships as contributors to political parties or campaigns is strictly forbidden unless the Board of Directors authorizes such use in advance.
 8. Officers and employees of the agency are not permitted to use their status or position to obtain personal gain from those doing or seeking to do business with the agency.

PROCEDURE

9. Employees and those managers responsible for the agency's books, records, capital expense, and equipment purchasing, must ensure that proper accounting and documentation exists within their functional areas. These records must be developed and maintained to permit the accurate preparation of financial statements in conformity with generally accepted accounting principles. The recorded accountability for assets will be compared with existing assets at reasonable intervals, and appropriate action will be taken with respect to any differences. The use of agency funds for any unlawful or improper purpose is strictly prohibited, and is grounds for disciplinary action up to, and including, termination.
10. Any employee of the agency, who receives a traffic ticket or is arrested for any reason, **must** report the event to the direct supervisor within one (1) business day. If the direct supervisor is not available, this report must be made to the Division Director or the Human Resources Manager or Director.
11. Upon notification, the supervisor is required to report the incident to the Human Resources Manager or Director immediately.
12. Failure of the employee to make the required report within the required timeframe, and/or the failure of the supervisor to immediately report the incident to the Human Resources Manager or Director, may result in disciplinary action up to, and including, termination of employment.
13. The agency seeks to comply with not simply the letter of the law, but with the spirit of the law. The agency expects to meet or exceed any applicable governmental regulation or requirement in the implementation and development of its business operation.

There are specific behaviors, actions, and violations that the BFP FOA considers unacceptable and inappropriate, and these are grounds for immediate dismissal. These include but are not limited to:

- Falsifying employment or another agency records.
- Violating the agency's Anti-Harassment Policy.
- Violating state, federal, or local laws and regulations.
- Violating the agency's requirements regarding automobile insurance liability limits, vehicle registration, and maintaining a valid driver's license.
- Failure to promptly notify the agency as required under The Affidavit of Good Moral Character and related statutes.
- Failure to notify a supervisor of any potential Conflict of Interest.
- Violating the Security Awareness Agreement, and/or accessing/sharing client information without a job specific reason to do so.
- Violation of the HIPAA requirements regarding employees and/or clients.
- Violating security or safety rules, or failing to observe safety rules, or the agency safety practices; failing to wear required safety equipment; tampering with the agency's equipment or safety equipment.

PROCEDURE

- Soliciting gratuities from clients.
- Exhibiting excessive or unexcused absenteeism, or tardiness.
- Violation of the BFP FOA Weapons Procedure on FOA premises or while on agency business.
- Using agency property and supplies, particularly for personal purposes in an excessive, unnecessary, or unauthorized way.
- Engaging in criminal conduct, or acts of violence, or making threats of violence toward anyone on agency premises, or when representing the agency, fighting, or provoking a fight on agency property, or negligent damage of property.
- Reporting to work under the influence of drugs or alcohol, and/or illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
- Committing theft or unauthorized possession of agency property, or the property of fellow employees; possessing, or removing any agency property, including documents, from the premises without prior permission from management; using agency equipment or property for personal reasons without proper authorization; using agency equipment for profit.
- Giving confidential or proprietary agency information to competitors or other organizations, or to unauthorized agency employees; working for a competing business while an employee of the agency; breaching confidentiality of personnel or client information.
- Fighting or using obscene, abusive, or threatening language or gestures or violence while on agency premises.
- Acting in an insubordinate manner.
- Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output or encouraging others to do the same.
- Sleeping or loitering during working hours.
- Soliciting during working hours, and/or in work areas; selling merchandise or collecting funds of any kind for charities, or others without authorization during business hours, or at a time or place that interferes with the work of another employee on agency premises.
- Posting, removing, or altering notices on any bulletin board on agency property without the permission of an officer of the agency, or in violation of procedures related to same.
- Smoking in restricted areas or at non-designated times, in accordance with agency policy.
- Violation of another agency policies.
- Refusal to comply with the random drug testing procedures.
- Consuming, or storing alcoholic beverages on FOA premises, or consuming alcoholic beverages while working with clients on or off premises.
- Theft of property from co-workers, clients, or the agency; and
- Fraud or embezzlement of agency funds.

PROCEDURE

14. Should an employee's performance, work habits, overall behavior, conduct, or demeanor become unsatisfactory, based on violations either of the above or any other agency policies, procedures, rules, or regulations, the employee will be subject to disciplinary action which may include termination of employment.
15. Before or during imposition of any discipline, an employee may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification they consider relevant.

Where appropriate, a policy of progressive employee discipline will be followed by supervisors in conjunction with the Human Resources Manager or Director. Note: **All proposed disciplinary actions should be directed to the Human Resources Manager or Director prior to the delivery of the notice to the employee.** Major elements of this policy include:

1. **VERBAL REPRIMAND.** The first step in the agency's progressive disciplinary policy is the "verbal reprimand." This is a verbal warning to an employee that his conduct is unacceptable, and that repeated or continued failure to conform his conduct or performance to the agency standards will result in more severe disciplinary action. Before receiving a verbal reprimand, an employee will be counseled by his supervisor and told what improvements are necessary and expected to correct any performance deficiencies. A record of the notice of the verbal reprimand may be made and retained in the employee's personnel file. This meeting is generally held between the immediate supervisor and the employee.
2. **PERFORMANCE IMPROVEMENT PLAN/COUNSELING STATEMENT.** If verbal reprimands and coaching does not successfully correct the identified issue, the employee may be placed on a "Performance Improvement Plan (PIP)" or be presented with a counseling statement. Both documents describe the unacceptable conduct or performance of the employee, and specifies needed changes or improvements immediately, or with timeframes by which the corrections must be made. Either document is crafted in conjunction with the Human Resources Manager or Director before being delivered to the employee. Approved PIPs, or counseling statements, may be delivered by the manager alone or with the Human Resources Manager or Director, as mutually determined. A copy of the PIP, or counseling statement, is retained in the employee's personnel file.
3. **SUSPENSION.** Suspension of the employee's employment may, at the sole discretion of the agency, be used as a third step. The length of the suspension will vary based upon such factors as the severity of the offense, the employee's performance, and the employee's disciplinary record. The suspension may be paid or unpaid. An employee may be suspended for repeated instances of minor misconduct, failure to conform his conduct or performance to the standards of his position, or for a single serious offense. This decision will be made in conjunction with the Human Resources Manager or Director who will request final approval from the Chief Executive Officer if this decision is mutually recommended. The meeting with the employee to document the suspension

PROCEDURE

will take place with the employee, supervisor and Human Resources Manager or Director. A record of the suspension will be retained in the employee's personnel file.

4. ADMINISTRATIVE LEAVE. An administrative leave is a period, not to exceed ten (10) working days in accordance with policy HR2806, during which time an employee is relieved of his or her job because of alleged serious misconduct.

An employee may be placed on investigative suspension when it is necessary to make a full investigation to determine the facts of the case, as in cases involving fighting, insubordination, theft incident or harassment.

If after the investigation:

- Discharge is warranted, the employee shall ***not*** be paid for the period of investigative suspension - the discharge shall be effective on the date of the termination interview.
- Misconduct is determined, but not of a sufficiently serious nature to warrant discharge, the employee shall receive a warning notice, and ***forfeit*** pay lost as a result of the investigative suspension and may be placed on disciplinary suspension.
- If no misconduct is determined, the employee shall return to work within the prescribed period and ***be paid*** for the time lost as a result of the investigative suspension.

5. TERMINATION. The final step in the disciplinary procedure is the termination of the employee. If an employee fails to conform to the conduct or performance standards required by the agency, and in the timeframes outlined in the performance improvement plan, the Agency may, in its sole discretion, terminate the employee's employment. Discussions to terminate an employee are made in conjunction with the Human Resources Manager or Director. The Human Resource Manager or Director will request the approval of the Vice President of Operations and Chief Executive Officer to finalize any termination decision. The termination meeting will include minimally the employee, supervisor, and Human Resources Manager or Director.

6. Notwithstanding this progressive disciplinary procedure, the agency reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, eliminate any or all the steps in the discipline process.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 2/4/2021