



**The Arc**<sup>®</sup>  
Evansville

# *Code of Conduct*



*Achieve with us.*<sup>®</sup>

Standards

Expectations

Compliance

## Introduction

The Arc of Evansville does business with the highest ethical standards. The Arc of Evansville's Mission reflects those standards and represents The Arc of Evansville's expectations for its employees and its Board of Directors. That Mission also guides our actions, every day, in business and in life. In many situations, however, we all need more specific guidance to meet The Arc of Evansville's expectations.

Our Code of Conduct, The Code, describes the ethical expectations for all The Arc of Evansville officers, employees, affiliates and our Board of Directors. These expectations also extend to The Arc of Evansville's agents – our consultants, contractors and others who represent The Arc of Evansville in any capacity. None of us is perfect, but The Code provides a framework within which we can work ethically and in compliance with all applicable legal requirements. We all commit, everyday, to do our very best work to the very best of our ability.

The Code cannot address every possible situation The Arc of Evansville's officers, employees, affiliates, agents and Board might encounter, but, it provides guidance and a resource for the most common legal and ethical issues that may arise in our work. Directions on how we can obtain specific guidance for situations not directly covered in The Code are found at the end of this document. The Arc of Evansville does not expect perfection from its officers, employees, affiliates and Board, but it does expect ethical, legal and sound business behavior at all times. The Code sets out The Arc of Evansville's expectations of employees. The Code is no substitute for sound business judgment, common sense and specific guidance on specific situations provided by our legal and ethics advisors.

## Special Responsibilities

Each of us is responsible for our own integrity. Some of us, particularly those in positions of leadership and those with responsibilities for supervising others, have a special responsibility to create and maintain a work environment that reflects The Arc of Evansville's Mission and in which all employees and agents recognize and incorporate ethical and legal requirements for doing business. This special responsibility includes the communication of The Arc of Evansville's Mission, The Code and The Arc of Evansville's expectations to employees and agents as well as any additional information or training that specific employees and agents need to know to do their jobs. This communication begins during the hiring process, where all of us with responsibilities for employee selection recognize the importance of choosing employees who embrace The Arc of Evansville's Mission and who can meet the expectations set out in The Code. There is no place for unlawful activities or unethical behavior at The Arc of Evansville, and we do not tolerate it. There is no substitute for personal responsibility, first, and, secondly, diligent supervision of each of us.

# Fair and equitable treatment...

## **Integrity**

We act honestly. We obey the law. We treat all with whom we interact respectfully and fairly. We are accountable for our work and our actions, and we take responsibility. We correct immediately those situations that we can correct ourselves, and we bring other situations to the attention of those who can correct them. We require those who work for us, including agents and consultants, to do likewise. We recognize that agents and consultants take their direction from us, and we do not tolerate unlawful or unethical activities by agents or consultants. Business integrity may be hard to define, but we all recognize it when we see it, and, even more importantly, we recognize when it is missing.

## **Fairness**

We commit to fair and equitable treatment of all employees and all candidates for employment. We evaluate employees and candidates for employment based on their qualifications, demonstrated skills, and achievements, without regard to their race, color, gender, sexual orientation, national origin, age, religion, disability, veteran status or marital status. We seek to avoid transferring or promoting a relative of any employee into a situation where the appearance of favoritism in an employment relationship might exist. We foster an atmosphere of open communication, trust and respect. We comply with all laws, including employment laws. We do not tolerate unlawful discrimination.

## **Diversity**

We promote diversity in our work force and in the work forces of those with whom we do business. We recognize the value of diverse backgrounds, experiences, styles, approaches and ideas to our business success, and we see our diverse workforce as both a strength and a competitive advantage. We create and sustain an inclusive work environment where each of us is encouraged and expected to achieve our full potential, both for personal fulfillment and in furtherance of The Arc of Evansville's business success. We seek to provide meaningful responsibilities and growth and developmental opportunities for all employees.



## Harassment Prevention

We all have the right to a workplace free from intimidation, harassment and abuse. We report any workplace harassment that we experience or observe to our supervisors, the Human Resources Department, Corporate Compliance Officer, or any member of the management team. We recognize and understand that The Arc of Evansville prohibits workplace harassment, verbal or physical. We understand that verbal or physical conduct by any employee that harasses another employee or disrupts any employee's work performance or creates an intimidating, offensive, abusive or hostile work environment is strictly prohibited and is not tolerated. We do not tolerate unwelcome verbal or physical conduct of a sexual nature, including unwelcome sexual advances or requests for sexual favors. We help each other by speaking out when a fellow employee's conduct makes us or others uncomfortable. We are each responsible for promptly reporting harassment when it occurs. We understand that The Arc of Evansville takes harassment claims seriously and investigates those claims thoroughly.

## Safety

We all work to create a safe and healthy work environment and to prevent accidents. We all hold ourselves accountable for understanding and following the safety rules and practices that apply to our jobs and for taking necessary precautions to protect ourselves and our fellow employees, including immediately reporting unsafe conditions and practices and accidents and injuries. We look out for each other and we take care of each other.



We all report to work free from the influence of any substance that might impair us or compromise our safe and effective work or put ourselves, fellow employees or the public at risk. We recognize that The Arc of Evansville provides confidential employee assistance to us, and we use that resource when we need to. We understand that workplace violence of any kind, including threats and intimidation, is strictly prohibited. We are prohibited from having weapons in the workplace, on The Arc of Evansville property, or on any other property while conducting business for The Arc of Evansville.

We all recognize that our first obligation in any situation is our safety, the safety of those we serve, and the safety of the public. If we find ourselves in any situation we judge to be unsafe, we first leave that situation and secondly report that situation to our immediate supervisor and to law enforcement as directed.

## **Privacy and Confidentiality**

We protect each other's privacy and confidentiality, just as we expect our fellow colleagues to protect our own privacy and confidentiality. For those of us whose work involves access to the personal, medical, legal or financial information of others, we do not compromise clients' or employees' privacy and confidentiality, and we disclose such information only to those with a business need for that information. We recognize and respect the trust that clients and colleagues place in us, and we safeguard that trust.

We do not expect privacy when using The Arc of Evansville-provided equipment, such as computers, cell phones, personal digital/data assistants (PDAs), etc., and other The Arc of Evansville-provided resources. We understand that The Arc of Evansville reserves the right to inspect its facilities and property, including computers, telephone records, lockers, email, Internet usage, offices, agency-owned vehicles and other workspaces.

## **Client Services**

We all value our clients. We also value The Arc of Evansville's reputation for providing safe and reliable services to our clients, and we take that reputation personally. We remain mindful of that reputation and we work to improve that reputation in all of our interactions with clients, business partners, donors, regulators, and the general public. We especially work to insure that our clients and the public can trust the safety of the services we provide. We work to address unsafe situations we find and we take all necessary steps to prevent unsafe situations from occurring.

## **Vendors and Suppliers and Competitive Processes**

We seek always to do business with suppliers, consultants, contractors, joint venture partners and others who embrace and demonstrate high standards and ethical business behaviors. All of our business partners are provided with a copy of The Code, and we expect each of them to read it and adhere to it. We expect our business partners to do business in a manner consistent with the expectations and requirements that we set for ourselves in The Code, and we expect them to share our commitments to ethical business conduct. We expect to pay a fair charge and to receive fair value in return. We do not allow family or personal considerations to influence our business decisions. Where practical, we conduct competitive bids, verify quality and service claims, and forge business relationships with suppliers to gain the very best values for The Arc of Evansville. We require our employees to monitor our contracts and to report instances where we do not receive fair value for our money. Our clients and donors expect no less.

## **Business Records and Communications**

We all do our part to insure that we provide accurate information and keep accurate records both for our internal, decision-making purposes and to provide accurate information to regulators and other governmental agencies. We all understand the

necessity of providing only accurate, timely and complete information in the documents we file or submit, and we also recognize the importance of full and accurate communications to the public. We understand that our reputations, both individually and collectively as The Arc of Evansville, are riding on every communication and every record.

We know that accuracy begins with the most basic documents – our day to day business records and our personal time records and expense reports, for example. If we are uncertain about the validity of an entry or a process, we seek guidance from our leaders or outside legal or consulting resources, as necessary.

We recognize that nearly every business record, including records like e-mails and voicemails, may become public at any time, as the result of litigation, governmental investigations or by other means. We make every effort to be clear and concise and accurate in those records. We strive to avoid exaggeration, interjection of our personal opinions, use of colorful language, and speculation in our business records and business communications.

We take special care with our financial records, and we seek proper authorization for all payments and transactions. We all do our part to see that financial books, records and accounts accurately reflect transactions and events and conform to The Arc of Evansville’s system of internal controls. We recognize that our clients, donors and the public all rely on the accuracy of our information, and we strive to meet those expectations.

We all follow The Arc of Evansville’s records retention policy and procedures, and we maintain and destroy records as that policy and those procedures require. We keep only those records which that policy and procedure allows, and we follow directions from legal advisors and Human Resources concerning the handling of specific kinds of business records. We never alter, conceal, destroy or create documents during any investigation, internal or external.

### **Responding to Inquiries**

We all have an obligation to provide accurate information to inquiries. Because only certain persons have all of the information and training to comply with this obligation, particularly with respect to inquiries from the public, media and regulators, our first obligation is to see that all of these inquiries get to the persons who should provide responses.

### **Protecting The Arc of Evansville Assets and Confidential Business Information**

If we have The Arc of Evansville assets that we use to do our work, we have a responsibility to protect those assets – to treat those assets the way we treat our own property. The Arc of Evansville assets include not only financial assets like



cash and checks, but also The Arc of Evansville equipment including phones, computers, vehicles, etc. We follow security and safety procedures, and we stay alert to situations that could put The Arc of Evansville assets at risk of loss, damage or misuse. We use The Arc of Evansville assets to do The Arc of Evansville business. We use our personal assets for personal use.

We follow all applicable internal controls, and we refuse to participate in or tolerate theft, fraud, unauthorized disclosures, embezzlement or misappropriation or misuse of any The Arc of Evansville property. We immediately report any improper activity of which we become aware to our Compliance Officer (812-428-4500, x302), and we cooperate fully with all inquiries, internal and external.

In addition to confidential employee and client information, we work with confidential The Arc of Evansville business information. We protect that information from disclosure in the same ways and for the same reasons that we protect other confidential information. We avoid discussion of confidential information in public areas, such as elevators, break rooms, restaurants, and areas outside The Arc of Evansville, except as necessary to do our work. We continue to protect confidential business information even after our association with The Arc of Evansville ends.

### **Intellectual Property**

We recognize that those who develop and protect through copyright, trademark, service mark or patent their intellectual property have a legally-protected interest in that work. We understand that the unauthorized copying, use, or distribution of that work (including software, books, papers, tapes, or other legally protected work) is a misuse of that work which creates potential financial and legal liability for The Arc of Evansville and perhaps for us personally as well. If we want to use the intellectual property of others, we secure the necessary permission. If we have questions about how to do that, we consult legal advisors for guidance.

### **Conflicts of Interests**

We make business decisions based on good business judgment and not based on any personal gain or personal interests. We recognize situations where our personal, financial or family interests may conflict with The Arc of Evansville business interests or service delivery. We avoid such conflicts and the appearance of conflicts by not participating in those business decisions and by disclosing our

**Confidentiality**

# Reputation

personal or family interest to our supervisors. We disclose conflicts and potential conflicts because we recognize that such conflicts and potential conflicts can be embarrassing to us and to The Arc of Evansville and can be misinterpreted by others. We remain mindful of appearances and we recognize that the mere appearance of a conflict of interest may damage the reputations of The Arc of Evansville and ourselves as well as the individuals that we serve. We report conflicts and the appearance of conflicts to the Compliance Officer.

We do not accept gifts, favors, gratuities or entertainment if it will obligate or appear to obligate us or otherwise influence service delivery or any business decision we must be involved in. We will not accept any gift, favor, gratuity or entertainment if it will compromise us or appear to compromise us or our ability to make an objective business decision. This does not include occasional business meals that can be reciprocated or gifts of nominal value. We do not solicit or request gifts, favors, gratuities or entertainment, and we NEVER accept gifts of cash or cash equivalents. If we have any question concerning the propriety of any gift, favor or entertainment, we check with the agency President, Deidra Conner, and follow her guidance. We do not provide any gifts, favors or entertainment or meals to any governmental employee unless such is approved in advance by the agency President. When required by state law, we do provide governmental employees and elected officials with invoices detailing the fair market value of any good or service we provide.

We do not work for or receive payment for services from any business or individual who seeks to do business or does business with The Arc of Evansville, particularly if this outside work may influence any decision we might make as part of our regular duties and employment for The Arc of Evansville or if there is a risk that confidential The Arc of Evansville information may be disclosed in the course of this outside employment. If we have questions about outside employment, we seek guidance from the Compliance Officer.

## **Confidential Business Information**

We use confidential business information only as necessary in our work for The Arc of Evansville. We do not use such information for our personal benefit.

We comply fully with all applicable laws, including laws that govern free and open competition and a level playing field for all players. We understand that certain business practices are prohibited by law including exchanging information with competitors concerning pricing, marketing, production or customers, entering into any agreement with any competitor concerning pricing, customers or suppliers. We understand that in addition to legal penalties, the damage to our personal reputation and The Arc of Evansville's reputation from any illegal activity cannot be repaired.

## **Laws**

We comply with all laws.  
We do not engage in illegal conduct.



## **Community**

When we are involved in community and political activities we make clear that our views are our own and not The Arc of Evansville's. We may use The Arc of Evansville assets and resources in community activities only with expressed, prior permission, and we never use such resources or assets for personal or political activities.

## **Environment**

We acknowledge our individual responsibilities for stewardship of our environment, from using available recycling bins to choosing environmentally responsible options in our work. We comply with environmental laws and regulations and we require those with whom we do business to do so as well. We do not knowingly violate any environmental requirements.

## **Governmental Relationships**

We value our good working relationships with governmental officials at all levels, local, state and federal. We recognize that only The Arc of Evansville's President or Denise Seibert (the Director of Development ) can advocate on The Arc of Evansville's behalf or speak for The Arc of Evansville with those governments and officials. We consult with the agency President before we take any action or make any statement that might be interpreted as made on The Arc of Evansville's behalf. We understand that political contributions are highly regulated and we make no contributions on The Arc of Evansville's behalf without the approval of the agency President. We make clear that any other contributions we make are our own, private contributions, not subject to reimbursement by The Arc of Evansville and not attributable to The Arc of Evansville in any way.

## **Governmental Requests**

We cooperate with reasonable requests for information from governmental agencies and authorities, and we share information routinely. In all non-emergency situations, we require client permission or a court order prior to disclosing confidential client information. We report all non-routine requests for information from governments to the agency President for response. If we question whether a request is "routine" we confer with Kelly Barnett, the Vice President of Adult Services. We provide truthful and accurate information in all instances. We cooperate with governmental inquiries, and we do not mislead, obstruct or seek to influence any governmental agent.



## Other Reporting

We will not be subject to retaliation or retribution for any report or inquiry concerning The Code that is made in good faith. We recognize that this Code and, indeed, The Arc of Evansville, is only as effective and ethical as each of us and our individual and group actions. We hold ourselves and our agency to the highest ethical standards, both in theory and in practice – *every day*.

## Questions Regarding the Code

We contact the Compliance Officer if we have any questions concerning The Code or its application to any particular situation. We make such contacts without fear of retribution or retaliation. We understand that any failure to follow The Code, The Arc of Evansville policies and procedures and all applicable laws can result in disciplinary action, up to and including termination of employment for employees and removal from the Board for Board Members.

### Seeking advice?

If you have concerns regarding whether an individual's conduct is or would be inconsistent with The Arc of Evansville's Code of Conduct, direct your questions to:

Vickie Warren, Vice President of Human Resources and Children's Services  
Phone: 812-428-4500, ext. 302, or [vickie.warren@evansvillearc.org](mailto:vickie.warren@evansvillearc.org). You may also stop by Vickie's office at the Training Center for a personal visit.

Employees who do not wish to be identified may address their concerns anonymously through the following means:

By phone: The Compliance Hotline, provided by outside vendor Human Resource Support, at 812-464-1038

On-line: Using the "Concern Desk" button on the ARCNet

By Mail: Attn: Corporate Compliance Officer, P.O. Box 4089, Evansville, IN 47724

## Additional Information/Expectations

In addition to the core values and expectations noted above, The Arc of Evansville's Code of Conduct also includes guidelines and expectations established for us by a variety of regulators and oversight bodies including the Indiana Administrative Code 460-6-36-2; the Indiana Division of Disabilities and Rehabilitative Services (DDRS) Code of Ethics Policy, and the CARF Accreditation Standards. As part of our commitment to comply with the laws that govern The Arc of Evansville and the accreditation standards that set us apart from other service organizations, the following specific expectations established by our oversight bodies are considered to be part of The Arc of Evansville's Code of Conduct.

From the Indiana Administrative Code 460 IAC 6-36-2:

- The Arc of Evansville shall provide professional services with objectivity and with respect for the unique needs and values of the individual being provided services.
- The Arc of Evansville shall avoid discrimination on the basis of factors that are irrelevant to the provision of services, including, but not limited to: race; creed; gender; age; or disability.
- The Arc of Evansville shall provide sufficient objective information to enable an individual, or the individual's guardian, to make informed decisions.
- The Arc of Evansville shall accurately present professional qualifications and credentials.
- The Arc of Evansville shall accurately present professional qualifications of all employees or agents.
- The Arc of Evansville shall require all employees or agents to assume responsibility and accountability for personal competence in the practice of the person's profession and in the provision of services under 460 IAC 6-36-2.
- The Arc of Evansville shall require employees or agents to maintain knowledge and skills required for continued professional competence including all requirements necessary for a licensed or accredited professional to maintain the professional's licensure or accreditation.
- The Arc of Evansville shall require professional, licensed, or accredited employees or agents to adhere to acceptable standards for the employee or agent's area of professional practice.
- The Arc of Evansville shall require employees or agents to comply with all laws and regulations governing a licensed or accredited person's profession.
- The Arc of Evansville shall require all employees or agents to maintain the confidentiality of individual information consistent with the standards of 460 IAC 6-36-2 and all other laws and regulations governing confidentiality of individual information.
- The Arc of Evansville shall require all employees or agents to conduct all practice with honesty, integrity, and fairness.
- The Arc of Evansville shall require all employees or agents to fulfill professional commitments in good faith.



- The Arc of Evansville shall require all employees or agents to inform the public and colleagues of services by use of factual information.
- The Arc of Evansville shall not advertise or market services in a misleading manner.
- The Arc of Evansville shall not engage in uninvited solicitation of potential clients, who are vulnerable to undue influence, manipulation, or coercion.
- The Arc of Evansville shall make reasonable efforts to avoid bias in any kind of professional evaluation.
- The Arc of Evansville shall notify the appropriate party, which may include: the Division, the Indiana State Department of Health; a licensing authority; an accrediting agency; an employer; the Office of the Attorney General, Consumer Protection Division; of any unprofessional conduct that may jeopardize an individual's safety or influence the individual or individual's representative in any decision making process.

From the DDRS Code of Ethics Policy:

- The Arc of Evansville shall avoid discrimination on the basis of factors that are irrelevant to the provision of services.
- The Arc of Evansville shall require all directors, officers, employees, contractors, subcontractors or agents to maintain the confidentiality of Individual information consistent with the standards of this article and all other state and federal laws and regulations governing confidentiality of Individual information.
- The Arc of Evansville shall not allow for nepotism during the conducting, directing, reviewing or other managerial activity of an investigation into an allegation of abuse or neglect by prohibiting friends and relatives of an alleged perpetrator from engaging in these managerial activities.
- The Arc of Evansville shall not subject its directors, officers, employees, contractor, subcontractors or agents to negative consequences following the director, officer, employee, contractor, subcontractor or agent reporting the alleged abuse or neglect of an Individual; violation of The Arc of Evansville's policies and procedures; violation of Division of Disability and Rehabilitative Services policies and procedures and violation of state and federal laws.
- The Arc of Evansville prohibits giving gifts to: state employees; special state appointees; the spouse or un-emancipated child of an employee; the spouse or un-emancipated child of a special state appointee; an Individual

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potentially receiving services from the provider; and any guardian or family member of an individual potentially receiving services from the provider.

## From the CARF Accreditation Standards:

- The Arc of Evansville will not market our services to clients or the public in a manner that is not factual or misleading. Nor will we directly solicit clients for our services who may be easily influenced or manipulated.
- The Arc of Evansville will promote the clients who use our services in a manner that provides the utmost in respect and dignity. Individuals highlighted in our publications and marketing materials will be presented in a positive manner highlighting their achievements and satisfaction with services.
- The Arc of Evansville will respect the personal property of others, especially those we serve. We will make every attempt to safeguard the personal property of our clients, employees, visitors and that which belongs to The Arc of Evansville.
- The Arc of Evansville will assure that appropriate boundaries between The Arc of Evansville personnel and our clients are maintained at all times. Employees are to report any outside activities with clients that are not a part of their job to their supervisor. The Arc of Evansville strongly recommends that employees always have a third party in attendance to protect both the employee and the client. Employees are not permitted to have a dating or sexual relationship with those receiving services.
- The Arc of Evansville does not permit employees to conduct fundraising that directly benefits themselves on agency time. Fundraising for local school events, scouting etc. may be allowed if approved by the supervisor.

