

UNITED WAY OF YELLOWSTONE COUNTY CODE OF CONDUCT & ETHICS POLICY

United Way of Yellowstone County (UWYC) is committed to the highest ethical standards. Based on the unique trust placed in UWYC to serve the public good, we have a special obligation to act ethically. The Code of Conduct and Ethics Policy is based on our mission and guided by our fundamental core values.

The success of the United Way system and our reputation depend upon the ethical conduct of everyone affiliated with our organization. Board members, volunteers, employees, and representatives set an example for each other and for partner agencies, by their pursuit of excellence in high standards of performance, professionalism and ethical conduct.

While no document can anticipate all of the challenges that may arise, the Code of Conduct and Ethics Policy communicates key guidelines and assists Board members, employees, volunteers, and representatives in making good decisions that are ethical and in accordance with applicable legal requirements.

PERSONAL AND PROFESSIONAL INTEGRITY: All Board members, volunteers, employees, and representatives of UWYC act with honesty, integrity, and openness in all their dealings as representatives of UWYC. We therefore:

- Strive to meet the highest standards of performance, quality, service, and achievement in working towards the UWYC mission.
- Communicate honestly and openly and avoid misrepresentation.
- Promote a working environment where honesty, open communication, and minority opinions are valued.
- Exhibit respect and fairness toward all those with whom we come into contact.

MISSION AND CORE VALUES: The mission of United Way of Yellowstone County is to improve lives by mobilizing the caring power of our community. This critical role requires that all of UWYC Board members, employees, volunteers, and representatives who foster such essential public good must assume the responsibility of earning public trust.

Five core values provide the foundation on which we base our actions and decisions:

INTEGRITY: We act with integrity that inspires the highest truth. We therefore:

- Stand as "one" in the relentless pursuit of instilling and promoting public confidence and trust.
- Maintain the highest standards of excellence and accountability, including prudent use of finances, and fair, accurate and honest disclosures of information.
- Keep our promises. People know that "United Way makes my caring count."

IMPACT: We make a positive difference and have a measurable impact of enduring consequence. We therefore:

- Make a difference in our community and change lives through our efforts.
- Are committed to a United Way that is relevant to its people, its community, and the times.
- Assume responsibility as good stewards and are accountable for our work and sustainable results.

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VOLUNTEERISM: We have impact and are made relevant through the spirit of volunteerism. We therefore:

- Are outstanding in the way that we invite volunteers to express their philanthropic beliefs (expression of one's "love of humanity").
- Believe that the most effective models of service and excellence are created through the leadership of volunteers.
- Encourage volunteer participation.

INCLUSIVENESS: We are strong only when we are inclusive. We therefore:

- Aspire to involve every segment of the community in our work.
- Act in ways that respect the dignity, uniqueness, and intrinsic worth of every person, the community, the donors, our own Board members, employees, volunteers, and representatives.
- Believe in a movement built from the rich diversity and gifts of all people in all systems.

COMMUNITY LEADERSHIP: We provide leadership for community building to be a catalyst for positive change. We therefore:

- Are effective educators and facilitators bringing all segments of the community together to promote individual well-being and common good.
- Are leaders of a process that multiplies the impact of people's innate desire and capacity to care for one another.
- Help transform visions of compassion and giving into dynamic reality.

ACCOUNTABILITY: UWYC is responsible to its stakeholders, which include partner agencies, donors, and others in the community who have placed faith in UWYC. To uphold this trust we:

- Promote good stewardship of UWYC resources, including donations, grants, and other contributions that are used to pay for community program services, fundraising expenses and operating expenses.
- Refrain from using organizational resources for non-UWYC purposes.
- Observe and comply with all laws and regulations affecting UWYC as a non-profit entity.

GUIDELINES FOR APPROPRIATE CONDUCT

In order to conduct the operations of UWYC efficiently and professionally, all employees and volunteers are to follow the rules of conduct that will protect the interests and safety of all employees and the agency. All employees and volunteers are expected to act in a professional manner with each other and the general public.

Although it is not possible to list all forms of inappropriate behavior and conduct, the following are examples that are considered inappropriate:

- Falsifying employment or other agency records
- Violating the Anti-Harassment policy
- Violating state, federal, or local laws and regulations
- Violating the Violence in the Workplace policy
- Violating the Drug-Free Workplace policy
- Using the company's property and supplies for personal purposes

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- Committing theft or unauthorized possession of company property or the property of fellow employees
- Releasing confidential or proprietary information.

GOVERNANCE: UWYC's Board of Directors is responsible for setting the mission and strategic direction of UWYC and oversight of the finances, operations, and policies of UWYC. Among its duties, the governing body:

1. Ensures that its board members have the skills and experience to carry out their duties and that all members understand and fulfill their governance duties acting for the benefit of UWYC and its public purpose.
2. Has a Conflict of Interest policy that ensures that any conflicts of interest are avoided or appropriately managed through disclosure, recusal, or other means.
3. Is responsible for the hiring, firing, and regular review of the performance of the President/CEO, and ensures that the compensation is reasonable and appropriate.
4. Ensures that the President/CEO and appropriate employees provide the governing body with timely and comprehensive information so that the governing body can effectively carry out its duties.
5. Ensures that UWYC conducts all transactions and dealings with integrity and honesty.
6. Ensures that UWYC promotes working relationships with board members, employees, volunteers, and program beneficiaries that are based on mutual respect, fairness, and openness.
7. Ensures that UWYC is fair and inclusive in its hiring and promotion policies and practices for all board, employees, and volunteer positions.
8. Ensures that board policies of UWYC are in writing, clearly articulated, and officially adopted.
9. Ensures that the resources of UWYC are responsibly and prudently managed.
10. Ensures that UWYC has the capacity to carry out its programs effectively.

LEGAL COMPLIANCE: UWYC is knowledgeable of and complies with all applicable laws, regulations and professional standards.

RESPONSIBLE STEWARDSHIP: UWYC manages its funds responsibly and prudently. This includes the following considerations:

1. It spends a reasonable percentage of its annual budget on programs in pursuance of its mission.
2. It spends a modest/adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent employees, and other expenditures critical to professional management.
3. UWYC compensates employees, and any others who may receive compensation, reasonably and appropriately.
4. UWYC prudently draws from endowment or grant funds consistent with donor/grantor intent, legal guidelines, and to support the public purpose of UWYC.
5. UWYC ensures that all spending practices and policies are fair, reasonable, and appropriate to fulfill the mission of UWYC.
6. All financial reports are factually accurate and complete in all material respects.

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TRANSPARENCY AND DISCLOSURE: UWYC provides appropriate and timely information to the public and all stakeholders and is responsive to reasonable requests for information. Information about UWYC fully and honestly reflects the policies and practices of UWYC. Basic information data about UWYC, such as the annual Form 990 and any audited financial statements, are posted on UWYC's website in accordance with a board policy on transparency and public reporting. All solicitation materials accurately represent UWYC's policies and practices and will reflect the dignity of program beneficiaries. All financial, organizational, and program reports will be complete and accurate in all material respects.

SOLICITATIONS & VOLUNTARY GIVING: The most responsive contributors are those who have the opportunity to become informed and involved. We therefore:

- Promote voluntary giving in dealing with donors and vendors.
- Refrain from any use of coercion in fundraising activities, including predicated professional advancement on response to solicitations.
- Disclose important and relevant information to potential donors.
- Respect the privacy concerns of individual donors and expend funds consistent with donor intent.
- Respect the rights of donors and adhere to the Donor Bills of Rights developed by the Association of Fundraising Professionals.

DIVERSITY, EQUITY AND INCLUSION (DEI) STATEMENT: UWYC is committed to diversity, equity, and inclusion within its own organization and the community. See DEI Statement for details.

NEPOTISM: UWYC refrains from the practice of showing preference toward family or friends working or volunteering with the organization. See Nepotism Policy for details.

CONFLICT OF INTEREST: Board members, staff members, volunteers, or representatives will sign a Conflict of Interest Statement annually and will disclose any potential conflict of interest. See Conflict of Interest Statement for details.

CONFIDENTIALITY & PRIVACY: Confidentiality is a hallmark of professionalism. Therefore, UWYC adheres to the [Confidential Information, Security and Protection Policy](#), and [the Donor Confidentiality Policy](#). See policies for details.

POLITICAL CONTRIBUTIONS: UWYC encourages individual participation in civic affairs. However, as a charitable organization, UWYC 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. We therefore:

- Refrain from making any contributions to any candidate for public office or political committee on behalf of UWYC.
- Refrain from making any contributions to any candidate for public office or political committee in a manner that may create the appearance that the contribution is on behalf of UWYC.
- Refrain from using any UWYC organizational financial resources, facilities or personnel to endorse or oppose a candidate for public office.

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- Clearly communicate that we are not acting on behalf of the UWYC organization. If we are identified as an official of UWYC while engaging in political activities, we are doing so as an individual.
- Refrain from engaging in political activities in a manner that may create the appearance that such activity is by or on behalf of UWYC.

GUIDANCE & DISCLOSURE: Board members, employees, volunteers, and representatives are encouraged to seek guidance from the Executive Committee concerning the interpretation or application of this Code of Conduct and Ethics Policy. Any known or possible breaches of the Code of Conduct and Ethics Policy should be disclosed. Reports of possible breaches will be handled in the following manner:

- All reports of possible breaches will be treated in confidence to the extent that the organization's duty to investigate and the law will allow. If confidentiality cannot be maintained, the individual disclosing the possible breach will be notified.
- All reported breaches will be investigated and, if needed, appropriate action taken based upon the policies of the organization.
- UWYC affirms prompt and fair resolution of all reported breaches.
- UWYC will not tolerate retaliation of any kind against an employee or volunteer who reports in good faith a violation of law or this policy.

REPORTING COMPLAINTS, CONCERNS, OR ETHICS VIOLATIONS: To report complaints or concerns about United Way of Yellowstone County's accounting controls, ethics violations, conflicts of interest, or make reports under the Whistleblower Act, contact Jill Quade, Ethics Officer of the Board of Directors of United Way of Yellowstone County, 2173 Overland Ave, Billings, MT 59105, (406) 670-2504 or ethics@uwyellowstone.org.

ACKNOWLEDGEMENT: Employees, Board of Directors, and committee members shall acknowledge receipt of this document annually by updating and signing the Code of Conduct and Ethics Policy Attestation form at the start of each Fiscal Year.

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GLOSSARY

- **Candidate for Public Office:** An individual who offers herself or himself or is proposed by others as a contestant for an elected public office, whether such office is federal, state or local.
- **Contribution, political:** Anything of value, including monetary and in-kind gifts, provided for the purpose of influencing the outcome of an election.
- **Donors:** All individuals and entities that make charitable or in-kind contributions to UWYC.
- **Close relative:** An individual's spouse/significant other*, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, "step" relation, or any member of the employee's household. *Significant other refers to a partner, girlfriend, boyfriend, spouse, or someone with whom you share an intimate, romantic relationship. Synonyms for significant other include better half, civil union, boyfriend, girlfriend, domestic partner, lover, mate, partner, and spouse.
- **Nonpublic Information:** Any business, financial, or personal information, which 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.
- **Privileged Information:** Information that is protected from involuntary disclosure by legally recognized privileges such as attorney-client, doctor-patient, and others.
- **Promotional Items of Nominal Value:** Gifts used to promote an organization's name, products, or services which have a retail value of \$25 or less.
- **Representatives:** Individuals who provide personal services to UWYC as independent contractors, consultants or loaned associates.
- **Employees:** All individuals, who provide services to UWYC as employees or leased employees.
- **Vendors:** Entities which provide goods and services to UWYC for a fee.
- **Volunteers:** Individuals who perform their UWYC duties without compensation, including members of the UWYC Board of Directors and committees appointed by the Board of Directors.

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CODE OF ETHICS EXAMPLES

These examples illustrate how provisions of the Code of Ethics may be applied under certain circumstances. The outcome of any particular situation depends on the facts presented and the language of the Code of Ethics.

HARASSMENT

Situation: Dan is continually teased by his younger co-workers for being an "old geezer" who is out of touch and unable to keep up with the pace of the office.

Solution: This could be considered harassment and is, at least, contrary to maintaining a positive work environment. Joe should tell his co-workers that their behavior is unwelcome and ask them to stop. If it continues, he should bring it to the attention of the President/CEO.

CONFLICT OF INTEREST

Situation: A firm that your father owns is interested in bidding on a contract to supply goods to UWYC.

Solution: You must notify the President/CEO. It is important to avoid even the appearance of conflict of interest or favoritism, especially in situations that could appear to benefit you or your family. However, as long as you do not participate in, are removed from the decision making process, and have no influence in the awarding of the contract, he will likely be allowed to submit a bid.

Situation: While at a conference you bump into a representative from a hotel who learns you are planning UWYC's next conference. He invites you to dinner and then offers you tickets for you and your spouse to attend the theater.

Solution: This could be considered a conflict of interest. You should decline any gift or entertainment that exceeds a nominal value of \$25.00. Similarly, you should not offer any entertainment or gift to a potential donor or supplier that could be interpreted as attempting to influence their decision regarding UWYC.

SOLICITATION

Situation: Your daughter is in the school band and at your previous job, you sold gift-wrapping paper for her to your colleagues at work. Can you do that here at UWYC?

Solution: Solicitations are permitted at UWYC provided prior approval is obtained from the President/CEO. However, solicitations should be done in such a manner to avoid coercion, whether real or implied, and also to avoid conducting personal business during working time. You should not directly solicit members of the employees over whom you exercise supervisory authority. However, you may solicit in a manner which is non-personal such as posting your request on a bulletin board.

NEPOTISM & FAVORITISM

Situation: Your sister-in-law is graduating at the top of her class from college this spring. You think she would be a great asset to your department at UWYC.

Solution: Favoritism based on family or close personal relationships are unfair to other employees. The appearance that this is favoritism is understandable, even when such situations are harmless. To avoid such an appearance, UWYC employees may not supervise or exercise management authority, directly or indirectly, over employees with whom they have a relationship that may adversely affect impartiality. While it may seem like a mutually beneficial

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situation to bring your sister-in-law into your department, this may create an awkward or unfair situation for co-workers or other potential employees.

CONFIDENTIALITY

Situation: A reporter from a local newspaper calls you and asks you for your comments concerning UWYC's new fundraising strategy towards its largest donors.

Solution: Although you may want to be helpful, it is important that you do not give out potentially proprietary or confidential information. For your protection and that of the organization, it is necessary that you refer the call to the President/CEO.

POLITICAL CONTRIBUTIONS

Situation: I serve on the UWYC Board. I would like to make a personal donation to my Congressman. Is this something I can do under UWYC's political contribution policy?

Solution: UWYC, as a charitable corporation, cannot legally make political contributions. There is no legal restriction on our volunteer, employees or other representatives. However, in making contributions in an individual capacity, volunteers, employees and representatives should refrain from actions or representations which may imply or create the appearance that the contribution is on behalf of UWYC, such as using of UWYC stationary, name or logo.

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Code of Conduct and Ethics Policy Attestation

Name: _____

Position:

- Are you an employee? Yes No
- Are you a volunteer? Yes No
- Are you a voting Director? Yes No
- Are you an Officer? Yes No
- If you are an Officer, which Officer position do you hold:

I affirm the following:

- I have received a copy of the UWYC Code of Conduct and Ethics Policy.
- I have read and understand the Policy.
- I understand that each United Way of Yellowstone County employee, director and committee member is responsible for adhering to the principles and standards of the Code of Conduct and Ethics Policy.

Name (Printed)

Signature

Date