

## **Professional Responsibility**

### **PREAMBLE**

Employer ABC's Code of Professional Responsibility applies all staff employed. The Code establishes standards of conduct deemed necessary to advance the beneficial ends and foster the professional welfare of the firm. The Code is based upon principles of honesty and integrity. Conduct that breaches these standards or violates these principles will be governed by this Code.

The Code is designed to supplement other policies. Employer ABC remains committed to its discrimination and harassment policies and to maintaining the integrity of its personnel procedures.

The code is a declaration of organizational values and a statement of enforceable standards of conduct. The procedures shall be consistent with current personnel policies and procedures and shall preserve rights of due process and confidentiality.

### **Standards of Professional Conduct**

The Employer ABC Code of Professional Responsibility provides that employees shall:

Comply with and abide by all rules and regulations.

Comply with and abide by all State and Federal laws and regulations.

Maintain the highest professional standards.

Commit no act of forgery or alteration of ABC documents or records.

Commit no act of theft, damage or destruction of Employer ABC's or property.

Cause no physical harm to any employee of ABC.

Engage in no activity that obstructs the administration of disciplinary procedures or review and appointment procedures.

Make no unauthorized commitments or promises binding Employer ABC or any of its employees.

Not give preferential treatment to any organization, corporation or individual where the employee has personal or financial interest, direct or indirect, which conflicts with the performance of one's duties. When awarding contracts or hiring staff where a conflict exists, one must excuse oneself from the decision-making process.

Use ABC's facilities, property and resources for the benefit of ABC and its clients.

Participate in no business or professional activity that promotes one's personal interest or gain unless it is related to one's duties or done with the knowledge and agreement of Employer ABC.

Make no attempt to receive or agree to receive any gift or benefit of any kind where it might reasonably be inferred that the gift or benefit was given, or offered, for the purposes of influencing or rewarding one for the discharge of duties assigned.

Maintain the confidentiality of personnel and organizational processes and proceedings where such confidentiality is provided by policy or law.

Uphold and abide by the standards of professional associations or licensing bodies that one is a member.

Engage in no activity that uses one's employment at ABC to gain or use information not available to the public for financial gain for oneself or other's with whom one is associated, unless related to ones job duties.

It is understood that employees have a responsibility to represent themselves in a responsible manner. All employees shall be objective in their professional judgments of other ABC employees.

Any employee use the procedures set out herein to ensure these standards of professional conduct are upheld. Employer ABC reserves the right to take disciplinary action as set forth in the procedures. The College reserves the right to institute its own proceedings against a person who violates State or federal law or any of the College's policies. (See #1 above).

## **PROCEDURES**

### **Complaint**

A Complaint must be filed within sixty (60) days from when the employee should have had notice of its occurrence. The Complaint must include the:

- Complainant's name.
- Alleged offender's name.
- Nature of the violation, including facts.
- Names of possible witnesses.
- Date of the Complaint.
- Date of the alleged violation.

Complaint forms shall be made available in Personnel and completed forms will be filed' in Personnel. Personnel shall date each complaint on the date received.

### **Role of Personnel**

Forward a copy of the complaint to the alleged offender within five (5) days of its filing.

Be available to answer the complainant's questions.

Within five (5) days of the filing the complaint, allow the parties to informally resolve the matter. If resolved at this stage, both parties will indicate so in writing and the complaint is dismissed.

If issue is not resolved at this stage, Personnel shall forward the complaint to the CEO for resolution.

### **Role of the CEO**

The CEO shall hear arguments within sixty (60) days of its receipt of the Complaint from Personnel.

Based upon testimony, documentation, and other relevant evidence presented at the hearing, the CEO will dismiss the case or impose a recommended sanction. Failure of the complainant to appear at the hearing shall result in dismissal of the complaint.

### **Conduct of Hearings**

No sanctions shall be imposed because the Defendant fails to answer or appear at the hearing. In this case, the evidence in support of the charges shall be presented by the complainant and considered by the CEO.

The CEO shall not participate in any case where he/she is a witness or has a personal interest. The CEO's eligibility to participate in a case is subject to challenge by either party prior to the hearing. Employer ABC will utilize the services of Law Firm ABC to determine if a conflict exists. If a conflict is deemed to exist, one of the Vice Presidents, agreed to by both parties, will replace the CEO. A moderator from Law Firm ABC shall conduct the hearing. The moderator shall promote and provide for the effective conduct of the hearing.

A verbatim audio record will be produced as requested by either party.

Hearings shall be closed. Witnesses will be present only to give testimony and respond to cross-examination.

The parties can present witnesses subject to the right of cross-examination of the other party. The CEO, through the moderator, has the discretion to limit the number of witnesses to be heard.

The CEO may direct questions to any party or any witnesses.

The CEO shall consider oral and written evidence. The moderator can exclude irrelevant or repetitious evidence. Witnesses who knowingly furnish false testimony may be charged with a violation of the policy.

Each complainant and/or accused can choose to be assisted by one advisor (e.g., attorney, counselor, etc.). The advisor can assist and advise but not speak for the accused or complainant or present their testimony.

The CEO will make a decision within five (5) days of the date of the hearing.

#### **Sanctions Defined**

Warning. Oral or written notice to the offender that continued wrongful conduct within a period of time stated in the warning may be cause for disciplinary action.

Reprimand. Written notice to the offender for violation of specified regulations.

Other Sanctions. The CEO may recommend other sanctions as may be reasonable and appropriate in a particular case up to and including termination.