

Acting with Integrity



A Guide to The Code of Ethics and Business Conduct



A Message from CAPMC Leadership



At Community Action Partnership of Madera County (CAPMC), we are committed to conducting all aspects of business in compliance with all federal, state and local laws and the highest standards of professional ethics. This commitment is a source of pride and strength for our Agency and for every CAPMC employee, volunteer, board and policy council/committee member.

Fundamental to CAPMC's commitment to ethical practices is integrity, which goes hand-in-hand with our Core Values of trustworthiness, responsibility, respect, fairness, caring and citizenship. We are very clear about what it means to act with integrity. It means promoting the values of our Agency by doing what is "right" - which means behaving and conducting ourselves in a way that further develops the mission of the Agency. It also means we operate legally and ethically, everywhere we are and in everything we do, in accordance with applicable laws and regulations, and in accordance with the letter and spirit of those laws.

By acting with integrity, we reflect positively on the image and reputation of the Agency and the Community Action brand. But acting with integrity is about more than our Agency image and reputation, or avoiding legal issues; it is about sustaining a place where we all are proud to work. Ultimately, it's about each of us making sure that we have done the right thing – acting ethically and treating each other and our customers, partners, suppliers, and consumers fairly and with dignity.

Every day, each of you makes complex decisions and judgments as a representative of CAPMC. We are committed to providing you with tools and resources to help guide your conduct at all times. The Code of Ethics and Business Conduct (The Code) is one of those tools; it explains in a practical way our ongoing pledge to integrity by providing information necessary to make sound business decisions that aren't just legally compliant but also meet the ethical standards by which CAPMC lives and upon which our reputation is based. The Code defines how employees should conduct themselves as representatives of CAPMC, and addresses our responsibility to the Agency, to each other, and to customers, suppliers, consumers, government entities, community stakeholders, and the taxpayers of California.

It is your responsibility to read, understand, and comply with the guide and related policies and procedures for conducting business in a manner consistent with the ethical standards. Everyone at CAPMC has an obligation to protect our Agency's interests. If you see something that doesn't seem ethical or right, please speak up. It's your responsibility as a member of our team to conduct yourself with the highest level of integrity and to alert others if you have questions or concerns. Every CAPMC employee should review The Code carefully to make sure your actions always carry out our Agency's commitment to doing the right thing. Any breach of Agency Code of Ethics & Business Conduct is subject to disciplinary action up to and including termination of employment.

Thank you for following our Code, living our Core Values, and fulfilling our mission. Together we will continue to make CAPMC's name one of which we can be proud.



Executive Director and Board of Directors of CAPMC

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What is Expected of Everyone

The Code applies to all employees, officers, board members, policy council/committee members, and volunteers – referred to as “Agency members.”

Comply with The Code and the law

In performing your job, you are responsible for abiding by CAPMC policies and procedures and all federal, state and local laws. More specifically, you are responsible and will be held accountable for understanding these guidelines, acting responsibly, and reporting unethical or illegal business practices. It is also your responsibility to raise questions, make appropriate decisions, and bring potential issues/problems to the Agency’s attention.

Consider your actions and ask questions

If ever in doubt about a course of conduct or business transaction, ask yourself the questions on the Ethics Decision Tree on the following page.

Seek guidance

The Code tries to capture many of the situations that employees may encounter, but cannot address every circumstance. If you are uncertain about whom to call or feel uncomfortable about using the resources identified in The Code, you may seek help from the following:

- Human Resources Director (559) 675-5766

Report concerns

Any incident that is suspected to be a breach of ethics, or in violation of federal, state or local laws should be reported immediately to one of the following sources:

- Executive Director (559) 675-5749
- Ethics Hotline (877) 453-7244 or reportlineweb.com/capmc

For Community Services concerns:

- Office of Inspector General - (800) 409-9926 or OIGHotline@state.gov

For Head Start concerns:

- California State Auditor - (800) 952-5665 or www.auditor.ca.gov/hotline
- Office of the Administration for Children and Families - Region IX - (415) 437-8400
- U.S. Department of Agriculture – (866) 632-9992

For Child Care Alternative Payment/ Resource and Referral concerns:

- California Department of Education – Child Development Division, 1430 N Street, Suite 3410, Sacramento, CA 95814, Attn: Appeals Coordinator – (916) 322-6233

For Victim Services concerns:

- U.S. Department of Justice Investigations Division – (800) 869-4499
- California State Auditor - (800) 952-5665 or www.auditor.ca.gov/hotline

The Ethics Hotline is operated by an independent company that specializes in handling calls of this type. It operates 24 hours a day, seven days a week, and translation services are available at all times.

Not sure?
Contact Human Resources for guidance.

Not sure?
Check CAPMC policies and procedures. Talk to your manager, or Human Resources for guidance.

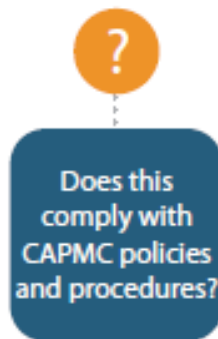
Not sure?
Check The Code or contact your manager for guidance.



Yes

No

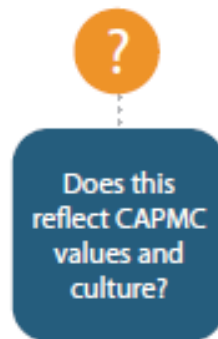
This action may have serious consequences; **do not do it!**



Yes

No

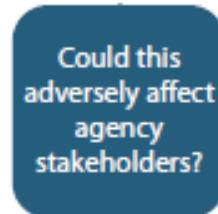
This action may have serious consequences; **do not do it!**



No

This action may have serious consequences; **do not do it!**

Yes

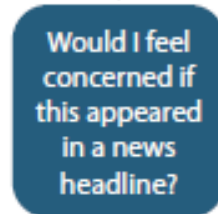


Yes

This action may have serious consequences; **do not do it!**

No

Not sure?
Talk to your manager for guidance.

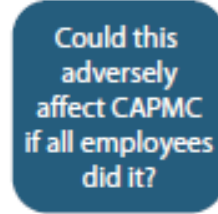


Yes

This action may have serious consequences; **do not do it!**

No

Not sure?
Talk to your manager for guidance.



Yes

This action may have serious consequences; **do not do it!**

No

Not sure?
Talk to your manager for guidance.

Ethics Decision Tree
If ever in doubt about a course of conduct or business transaction, ask yourself the questions on the Ethics Decision Tree.
Think before you act.

The decision to move forward appears appropriate.



What is Expected of Managers

Promote a culture of ethics and compliance.

Managers should at all times model appropriate conduct. Managers should:

- Ensure that the staff they supervise understand their responsibility under The Code and other Agency policies;
- Take opportunities to discuss with employees The Code, the importance of ethics and compliance, and how to apply them into their daily lives;
- Create an environment where employees feel comfortable raising concerns;
- Consider conduct in relation to The Code and other Agency policies when evaluating employees;
- Immediately act to stop violations of The Code or the law by those they supervise.

Respond to questions or concerns.

If approached with a question or concern related to The Code, managers should listen carefully and give complete attention to the employee.

- Ask for clarification and additional information.
- Answer any questions, but do not feel that an immediate response must be given.
- Seek help if needed.

Managers are responsible for sharing information with the Executive Director. Managers must remember, even though they may not think that the information may be accurate, it is their responsibility to immediately report any concerns to the Executive Director.

Document completely and accurately.

Conversations with employees about ethical matters should be documented, in addition to any suspect behavior. Documentation is to be made available to Human Resources and the Executive Director via email if possible. Managers are responsible for obtaining direction and guidance regarding the ethical matter.

Documentation should include:

Who/What/When/Where/How

Documentation should be emailed to the Executive Director (ensuring a date and time stamp), while including yourself as a “cc” on the email.

Core Values

Community Action Partnership of Madera County's Core Values represent who we are and provide, without question, the standard behavior by which we conduct business. These values are the heart, soul, and character CAPMC. They represent how we treat each other, how we deal with our customers, and how we hold others and ourselves accountable.



Trustworthiness

Be open, honest and trustworthy in dealing with program participants, vendors, community partners and co-workers • Be reliable - do what you say you'll do

- Have courage to do the right thing
- Build a good reputation



Respect

Treat others the way you want to be treated • Value and honor all people • Respect other peoples' time • Judge others on character, ability and conduct; not on race, religion, gender, or what they have or don't have • Listen to and acknowledge others • Respect differing opinions • Refrain from idle complaints



Responsibility

Think before you act • Be self-disciplined • Always do your best • Be solution-oriented • Set a good example • Don't shift responsibility • Apologize sincerely

- Accept and give praise
- Take pride in what you do - set goals - climb high



Fairness

Be fair and just • Treat people equally • Make decisions without favoritism or prejudice • Be open minded, hear people out, listen to them and consider what they have to say before making a decision • Give people a reasonable benefit of doubt



Caring

Be kind • Be compassionate • Show you care • Express gratitude • Forgive others • Help people in need • Be charitable and thoughtful • Don't speak ill of others • Think the best



Citizenship

Make your community better • Volunteer • Protect our environment, clean up, conserve, avoid pollution • Follow Agency policies and procedures • Promote continuous improvement • Honor and respect democracy

Integrity means promoting the values of our Agency by doing what is “right” - behaving and conducting ourselves in a way that further develops the mission of the Agency.

Raising Concerns

All Agency members have an obligation to uphold the ethical standards found in the CAPMC Code of Ethics and Business Conduct. If behavior is observed or suspected that is a concern or that may represent a violation of The Code, the issue must be raised immediately. Doing so allows the Agency an opportunity to deal with the issue and implement corrective action as necessary before it becomes a violation of the law, a risk to health and safety, or damages the Agency’s reputation.

Definition of “suspect”:

- to surmise to be the case or true or probable
- to hold in suspicion
- to have doubt/ distrust
- to think (a person) guilty without proof

Resources

You have options for raising issues and concerns. You can contact any of the following:

Executive Director (559) 675-5749

Ethics Hotline (877) 453-7244 or at reportlineweb.com/CAPMC

The Ethics Hotline is available 24 hours a day, seven days a week. Translators are available.

When contacting the Ethics Hotline:

1. You will be given the option to remain anonymous, or you may choose to identify yourself. A customized web form or professional interview specialist will then document your concern in detail.
2. The information you provide will be relayed to our Agency for appropriate follow-up.
3. If you remain anonymous, you may be asked to check back to provide additional information or to answer questions our Agency might have as we investigate your concern. If you have identified yourself, you may be called upon to provide additional information.
4. Reports submitted to the Ethics Hotline will be handled promptly and discreetly. Retaliation against anyone who reports a concern is a violation of our Agency’s principles and will not be tolerated, as it is against the law.

Act Responsibly!

If an Agency Member becomes aware of, or suspect, any conduct by another Agency member that is believed to be unethical or unlawful, or may violate any CAPMC policy or this Code, it should be reported promptly to one of the following:

Executive Director (559) 675-5749

Ethics Hotline (877) 453-7244 or reportlineweb.com/capmc

Anonymity and Confidentiality

When a report is made to the Executive Director or the Ethics Hotline, reporters may choose to remain anonymous. Reporters are encouraged to identify themselves to facilitate the investigation. If a reporter makes his/her identity known, the investigators will take every reasonable precaution to keep his/her identity confidential, consistent with conducting a thorough and fair investigation. To help maintain confidentiality, these issues or any investigation are not to be discussed with other employees. Because the Agency strives to maintain strict confidentiality in all investigations, the reporter may not be informed of the outcome of an investigation.

Investigations

The Agency takes all reports of possible misconduct seriously. The matter will be investigated as confidentially as possible, it will be determined whether The Code or the law has been violated, and appropriate corrective action will be taken. If an Agency member becomes involved in an investigation, he/she is to cooperate fully and answer all questions completely and honestly. If an employee refuses to take part in an investigation, he/she may be placed on unpaid administrative leave, pending the outcome of the investigation.

No Retaliation

It is against CAPMC policy, and federal and state law, for any supervisor or other employee to take action against another employee or a director, vendor, or agent of the Agency for reporting or threatening to report (in good faith) a violation, or suspected violation, of this Code (or any state or federal law or regulation) or cooperating in investigations relating to such violations, provided that the person has acted in good faith and with a reasonable belief that the information provided is true. It is also against CAPMC policy to take any action against any employee or a director, vendor, or agent of the Agency for (1) lawfully providing information or assisting in an investigation of activities for which he or she reasonably believes violates applicable law, or (2) providing truthful (or what the employee reasonably believes to be truthful) information to the government, a government agency, or law enforcement officers relating to the commission of a violation of this Code or any state or federal law or regulation.

If you believe that you have been the subject of impermissible retaliation, you should contact the Ethics Hotline, the Human Resources Director at (559) 675-5766, or the Executive Director at (559) 675-5749.

Making False Accusations

The Agency will protect any employee who raises a concern honestly; however, it is a violation of The Code to knowingly make a false accusation, lie to investigators or interfere or refuse to cooperate with an investigation. If an employee refuses to take part in an investigation, he/she may be placed on unpaid administrative leave, pending the outcome of the investigation. Honest reporting does not mean that the Agency member has the right information when raising a concern, they just have to reasonably believe that the information being provided is accurate, or of reasonable suspicion.

Section I: Consumers, Customers, and General Business Practices

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form http://www.ascr.usda.gov/complaint_filing_cust.html or at any USDA office, or call (866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send you completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410, by fax (202) 690-7442 or by email at program.intake@usda.gov. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Advocacy

Nonprofit organizations play a vital role in the development and implementation of public policy. Nonprofit organizations can and should participate in public policy discussions that affect their organizations, communities and the people they serve. Most decision-makers interpret a lack of advocacy as a lack of interest for the organization or cause. At-risk groups and populations risk the loss of funding and support when the choice is made to not advocate for their causes.

CAPMC plays an important role in the community by advocating for many social, economic, and systemic issues affecting low-and moderate-income children and families. Advocacy is the term for the collective work done to promote, protect, and preserve an organization or cause. CAPMC has developed a Public Advocacy Policy that provides guidelines to being active in public policy and advocating for those that affect the children and families CAPMC serves. Advocacy means sharing views and opinions with elected people who make decisions impacting the organization and its mission, and includes:

- Meeting with legislators and decision-makers to discuss social problems, without mentioning a specific proposal
- Providing legislators and decision-makers with educational materials about specific legislation, without calling for specific action on the legislation
- Responding to requests from legislative committees for information about specific legislation
- Tracking activities of legislators, including votes, positions taken, contributions accepted, etc.
- Talking to the media
- Advocating to improve human services
- Conducting public education campaigns
- Producing and disseminating research reports or studies that provide nonpartisan analysis on policy issues, including specific legislation
- Advocating the enactment and enforcement of private or voluntary policies, (e.g. alcohol purchase restrictions in stadiums)

What's the difference between "advocacy" and "lobbying"?

Advocacy is the collective term for work done to promote, protect, and preserve an organization or cause. It covers a much broader range of activities that may or may not include lobbying. Lobbying is supporting or opposing a piece of legislation at any level of government or at the ballot (in the form of an initiative or referendum). One simple distinction between the two is that lobbying always involves advocacy, but advocacy does not necessarily involve lobbying. The two terms are often confused because they are interconnected; however they are different and distinct.

Application for Employment by Board Member or Policy Council/Committee Member

Any person who is or has been on the Board of Directors in the six months prior to his/her application for a CAPMC vacancy shall be ineligible for employment consideration, except for target area representatives and policy council/committee members. Additionally, no immediate family member of the Board of Directors or the policy council/committee member may be an employee of the Agency. This does not prohibit an immediate family member from submitting an application for employment with the Agency; however, if the family member is offered and accepts employment, the affected board or policy council/ committee member must resign his/her position. Nothing contained in the provision would permit any preferential treatment or consideration of the employment application of any family member.

Assets

CAPMC has accounting and internal control procedures to protect and properly account for Agency assets, and conducts its business in accordance with these procedures. Each Agency member plays a role in appropriately using Agency assets. Agency assets are to be purchased, used and disposed of solely for the benefit of the Agency. Violations of this policy re subject to disciplinary action up to and including termination of employment.

Unauthorized Removal of Agency Assets

Unauthorized removal of Agency assets –such as unauthorized removal or embezzlement of Agency funds, property, equipment or information, or intentional misreporting of time or expenses – is against Agency policy and can result in disciplinary action up to and including termination plus the potential for civil and/or criminal prosecution. The Agency treats misappropriation of workplace as sets belonging to other employees the same way it treats misappropriation of Agency assets.

The use of Agency assets outside of Agency responsibilities, such as using Agency work product in an outside venture, or using Agency materials or equipment to support personal interests, is likewise prohibited and can result in disciplinary action up to and including termination.

Use of Time, Equipment and Other Assets

Personal activities are not to be engaged in during work hours, particularly those that interfere with or prevent fulfillment of job responsibilities.

Agency computers and equipment are not to be used for outside business activities, or for illegal or Unethical activities such as gambling, pornography or other offensive subject matter.

Examples of Agency Assets:

- Agency money or products
- Employees' time at work and work product
- Computer systems and software
- Telephones
- Wireless communication devices
- Postage machines
- Food at child care facilities
- Agency vehicles
- Gas card
- Office, site and program supplies

Bribery or Kickbacks

It is illegal to pay or receive anything of value (a “bribe” or a “kickback”) in an effort or attempt to influence business transaction or conduct. CAPMC’s guidelines go beyond the standards set by the law and prohibit any activities that create the mere appearance of anything improper or anything that may embarrass or give the appearance of impropriety to the Agency. For example, no Agency employee shall enter into any business or financial relationship with an ongoing vendor. No asset of the Agency or other funds may be used to bribe or influence any decision made by an Agency member or any government employee or official. Agency members may not accept money or gifts from a program participant or supplier; exceptions are nominal gifts not to exceed \$25 in value, or a food basket to be shared among staff. For more information about gifts or other relevant issues, see the Acceptance Policy in the Accounting and Financial Policies and Procedures Manual on the Agency Intranet.

Business or Financial Records

Ensure the accuracy of all Agency business and financial records. These include not only financial records, but other records such as enrollment applications, child care files, time records, expense reports, personnel records, and items such as benefit claim forms and other financial documents.

Ensuring accurate and complete business and financial records is everyone’s responsibility, not just a role for Fiscal personnel. Accurate record keeping and reporting reflects on the Agency’s reputation and credibility, ensuring that the Agency meets its legal and regulatory obligations to all funding sources.

- All business records should be clear, truthful, and accurate.
- Business records and communications may be subject to public disclosure through public records, government investigations, litigation, or the media.
- Business records are Agency assets and must be retained or destroyed in compliance with all applicable records retention schedules in the Records, Access and Retention section in the Accounting and Financial Policies and Procedures Manual.
- Accounting and financial reporting of actual transactions and forecasts must follow Agency financial procedures, as well as all applicable and generally accepted accounting principles and laws.
- Documents must never be falsified.
- The true nature of any transaction must not be distorted.

Strive for Accuracy

Employees must strive for and use their best efforts to be accurate when preparing any information for the Agency, with the understanding that occasionally honest mistakes will happen. Only intentional or grossly negligent efforts to misinterpret or improperly record transactions, or otherwise to falsify an Agency business record, are Code violations and can result in disciplinary action up to and including termination of employment.

Communications

Agency members are responsible for maintaining the CAPMC image when communicating with others. The Agency image can be enhanced or harmed with every written, oral or electronic communication. Slanderous, libelous, obscene, harassing, or distasteful communications are never appropriate and will not be tolerated; employees who engage in such activities will be subject to disciplinary action up to and including termination of employment. Every communication must be developed with professionalism and the CAPMC brand in mind. Email communication and social media communication must also comply with The Code. In compliance with HIPPA laws, no personal medical information of a program participant or Agency member shall be disclosed or disseminated, at any time, except when required for ensuring reasonable medical accommodations.

Compliance with Laws, Regulations, and Agency Policies

CAPMC does not tolerate:

- The willful violation or circumvention of any federal, state, and local law by an employee during the course of that person's employment;
- The disregard or circumvention of CAPMC policy or engagement in unscrupulous dealings;
- The manipulation or disregard of policies or provisions to secure a benefit for friends and family members.

Employees should not attempt to accomplish by indirect means, through agents or intermediaries that which is directly forbidden, and can result in disciplinary action up to and including termination of employment. Employees are required to comply with The Code, applicable laws, regulations and Agency policies.

In addition, employees should Adhere to the Standards of Conduct by

- Implementing positive strategies to support children's well-being and prevent and address challenging behavior.
- Not maltreating or endangering the health and safety of children, including, at a minimum, that staff, volunteers, and consultants must not:
 - * Use corporal punishment
 - * Use isolation to discipline a child
 - * Bind or tie a child to restrict movement or tape a child's mouth
 - * Use or withhold food as a punishment or reward
 - * Use toilet learning/training methods that punish, demean, or humiliate a child
 - * Use any form of emotional abuse, including public or private humiliation, rejecting, terrorizing, extended ignoring, or corrupting a child
 - * Physically abuse a child
 - * Use any of verbal abuse, including profane, sarcastic language, threats, or derogatory remarks about the child or child's family; or
 - * Use physical activity or outdoor time as a punishment or reward
- Respect and promote the unique identity of each child and family and do not stereotype on any basis, including gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition.
- Complying with program and agency's confidentiality policies concerning personally identifiable information about children, families and other staff members.
- Ensuring no child is left alone or unsupervised.



Conflict of Interest

In the course of business, situations may arise in which an Agency decision-maker has a conflict of interest, or in which the process of making a decision may create an appearance of a conflict of interest.

All employees, officers, board members, policy council/committee members and volunteers have an obligation to:

Avoid potential or actual conflicts of interest, or the appearance of conflicts, between their personal interests and those of the Agency in dealing with outside entities or individuals,


Disclose real and apparent conflicts of interest to the Executive Director, and

Refrain from participation in any decisions on matters that involve a real conflict of interest or the appearance of a conflict.

What Constitutes a Conflict of Interest?


All employees and governing body members of CAPMC owe a duty of loyalty to the Agency. This duty necessitates that in serving the Agency they act solely in the interests of the Agency, not in their personal interests or in the interests of others.

Interested persons include all members of the Board of Directors and all employees, as well as persons with the following relationships to directors or employees:

1. Spouses, significant other, or domestic partners
 2. Brothers and sisters
 3. Parents, children, grandchildren, and great-grandchildren
 4. Spouses of individuals listed in 2 and 3
 5. Corporations, partnerships, limited liability companies, (LLCs), and other forms of businesses in which an employee or board member, either individually or in combination with individuals listed in 1, 2, 3, or 4, collectively possess a 25% or more ownership or beneficial interest.
- 

A conflict of interest arises when the interest of any interested party may be seen as competing with those of the Agency. Conflicts of interest may be financial (where an interested party benefits financially directly or indirectly) or non-financial (e.g. seeking preferential treatment, using confidential information).

Examples include, but are not limited to, situations in which an Agency member:

1. Negotiates or approves a contract, purchase, or lease on behalf of the Agency and has a direct or indirect interest in, or receives personal benefit from, the entity or individual providing the goods or services. Personal and institutional services are covered, including banking and other financial services, medical, legal, and other professional services, and management and consultant services, as well as other kinds of skilled and unskilled labor;
 2. Negotiates or approves a contract, sale, or lease on behalf of the Agency and has a direct or indirect interest in, or receives personal benefit from, the entity or individual receiving the goods or services;
- 

3. Employs or approves the employment of, or supervises a person who is an immediate family member of the board/policy council/committee member or employee. Immediate family members are designated as:

Husband	Son	Son-in-law	Uncle
Wife	Daughter	Daughter-in-law	Aunt
Father	Father-in-law	Grandfather	Nephew
Mother	Mother-in-law	Grandmother	Niece
Sister	Sister-in-law	Stepchildren	Cousin
Brother	Brother-in-law	Stepparent	Significant Other
Registered Domestic Partner			

4. Sells products or services in competition with the Agency;
5. Uses the Agency's facilities, other assets, employees, or other resources for personal gain;
3. Receives a gift valued greater than \$25 from a vendor or does not share the gift with the Agency, or does not disclose the gift to the Executive Director, if the Agency member is responsible for initiating or approving purchases from that vendor.

Disclosure Requirements

An employee, officer, board member, policy council/committee member or volunteer who believes that he/she may be perceived as having a conflict of interest in a discussion or decision must immediately disclose that conflict to the group making the decision. Most concerns about conflicts of interest may be resolved and appropriately addressed through prompt and complete disclosure.

CAPMC requires the following:

1. On an annual basis, all members of the Board of Directors and the Executive Director and program managers shall complete Form 700, Report of Economic Interests.
2. Employees, officers, board members, policy council/committee members or volunteers of the Agency are required to notify the Executive Director of any financial conflict of interest that may arise in the course of carrying out assigned duties. Board members are directed to CAPMC's By-laws, Article 11, and if any conflicts arise in the implementation or interpretation of this provision, the Bylaws will take precedence.
3. At the inception of employment or volunteer service to the Agency, and on an annual basis thereafter, the fiscal department shall distribute a list of all vendors with whom the Agency has transacted business at any time during the preceding year, along with a copy of the disclosure statement to all members of the Board of Directors, the Executive Director, members of senior management, and employees with purchasing and/or hiring responsibilities or authority. Using the prescribed form, these individuals shall inform, in writing and with a signature, the Executive Director and the Finance Committee of all potential reportable conflicts.
4. During the year, these individuals shall submit a signed, updated disclosure form if any new potential conflict arises.
5. Prior to any management, board or committee action on a contract or transaction involving a conflict of interest, material facts to a conflict of interest shall be disclosed by staff, board or committee member. Such disclosure shall be reflected in the minutes of the meeting.
6. A person who has a conflict of interest shall not participate in or be permitted to hear management's, the board's or the committee's discussion of the matter. Such person shall not attempt to exert his or her personal influence with respect to the matter.
7. A person who has a conflict of interest with respect to a contract or transaction that will be voted on at a meeting shall not be counted in determining a quorum for purposes of the vote. The person having a conflict of interest may not vote on the contract or transaction and shall not be present in the meeting room during deliberations or when the vote is taken. Such person's ineligibility to vote and abstention from voting shall be reflected in the minutes of the meeting.



Resolution of Conflicts of Interest

All potential, actual or apparent conflicts of interest shall be disclosed to the Board Chairperson or the Executive Director of the Agency. Conflicts shall be resolved as follows:

- The chair of the board shall be responsible for making all decisions concerning resolution of the conflict involving the Executive Director, members of the Finance Committee, or other board members. If the actual, potential or apparent conflict involves the board chair, then the board shall appoint a committee of three board members not involved in the actual, potential or apparent conflict to make all decisions concerning resolution of the conflict.
- The Executive Director shall be responsible for making all decisions concerning resolutions of conflicts involving employees.

An employee, officer, board member, policy council/committee member or volunteer may appeal the decision that a conflict (or appearance of conflict) exists as follows:

- An appeal must be directed to the Board Chairperson. If the actual, potential or apparent conflict involves the board chair, then the board shall appoint a committee of three board members not involved in the actual, potential or apparent conflict to make all decisions concerning resolution of the conflict.
- Appeals must be made within 30 days of the initial determination.
- Resolution of the appeal shall be made by vote of the full Board of Directors.
- Board members who are the subject of the appeal, or who have a conflict of interest with respect to the subject of the appeal, shall abstain from participating in, discussing, or Voting on the resolution, unless their discussion is requested by the remaining members of the Board.

Disciplinary Action for Violations of this Policy

Failure to comply with the standards contained in this policy will result in disciplinary action that may include termination, removal from the Board or Policy Council/Committee, referral for criminal prosecution, and reimbursement to the Agency or to the government, for any loss or damage resulting from the violation.

Know the Code

- If you think you may have a conflict of interest or a relationship that creates a conflict of interest, you must promptly disclose this situation to your supervisor.

Employee as Recipient of Services

Client eligibility for Agency services is strictly defined according to grantor contracts. CAPMC staff shall be diligent in complying with grants when determining client eligibility. Under no circumstances will preferential treatment be granted to Agency employees, contracted employees, family members of Agency employees, or Agency board members. Services may be provided; however, proof of eligibility and details of service activity shall be provided to the appropriate program manager or the CAPMC Executive Director.

It is incumbent upon CAPMC intake workers and advocates to provide the program manager or Executive Director with the following documentation:

1. Name of employee and/or program manager
2. Proof of eligibility
3. Documentation detailing activity, i.e. services, commodity or utility assistance

This information will be kept confidential and only available to the awarding agency and/or CAPMC Board of Directors, if requested. This includes Agency services that may be provided now or in the future. The application for services must have approval from the program manager or the Executive Director prior to delivery of program goods and/or services. The following exception applies:

- Access to Victim Services shall be approved by the Victim Services Program Manager, and the strictest level of confidentiality shall be adhered to.

Fraud is defined as:

- Intentionally or recklessly providing false or misleading information on participant agreement and/or eligibility documentation.
- Intentionally or recklessly failing to notify the appropriate program manager of changes to avoid a reduction in or denial of benefits, services or payments provided by CAPMC.
- Alteration or forgery of documents.
- Claiming that services have been received, knowing the services have not been received.
- In any way, intentionally or recklessly providing misleading information, documentation and/or statements regarding eligibility or need.

Head Start Parent/Child Allowed to Complete Head Start Experience

If a parent of a Head Start child is hired at the Agency, the child will be allowed to complete their Head Start experience.

Program Participant Relationship

If an employee is related (through blood or marriage) to any client receiving Agency services provided and/or authorized by the employee, the employee must inform his/her immediate supervisor immediately, and the work duties associated with the program participant will be reassigned to another employee.

Gambling

To ensure a productive and healthy work environment, CAPMC expects all employees to abide by federal and state laws prohibiting illegal gambling. Such prohibited activities include, but are not limited to:

- Betting on, wagering on or selling pools on any athletic event;
- Knowingly permitting the use of one's telephone or other electronic device on CAPMC premises for illegal gambling;
- Involvement in booking or wagering points with respect to sporting events; or
- "Tanda": a portrayal of a savings plan for many families. Agency employees are not allowed to form groups to participate in any form of "tanda" to borrow money based on monthly contributions from one another.

Violations of this policy are subject to disciplinary action up to and including termination of employment.

Gifts, Meals and Entertainment

Employees should never give or accept anything of value from anyone, including a current or

prospective contractor, supplier/vendor, landlord, or competitor of the Agency ("third party") when doing so might compromise, or appear to compromise, the objective of an Agency business decision. Furthermore, under no circumstance should a CAPMC member solicit invitations or gifts from any third party. Any employee giving to or receiving from any third party any amount of money or non-cash gifts valued greater than \$25 is absolutely prohibited. This includes, but is not limited to, trips to a vendor facility, gift certificates, tickets to events, or sponsored participation in a golf tournament. If an attempt is made to give an employee a prohibited gift, the employee shall inform his/her supervisor in writing, and either return the gift or write a personal check to the gift giver for the full value of the gift. The following situations are acceptable within the Agency:

- Employees may accept a holiday gift basket or flowers with reason, as long as the item is shared with the entire department or Agency.
- Agency staff may receive a small gift valued at no more than \$25 from a family/child; however, Agency staff should never solicit such a gift.

Loans

Personal property and monetary loans from CAPMC to any employee are prohibited. Personal property and monetary loans to and from employees are highly discouraged and CAPMC is not responsible for any default on any part of a loan to an employee. If loans do occur and a disruptive or hostile work environment is created, employees may be subject to disciplinary action up to and including termination of employment. Supervisory personnel shall not provide or solicit any personal financial loan to a CAPMC employee. Board and policy council/committee members may not solicit any other board member, or policy council/committee member to loan them or any of their family members money. Doing so is a violation of Agency policy, and may result in disciplinary action up to and including removal from their position.

Lobbying

The Agency will refrain from all lobbying activities if such activities involve the use of any federal, state or local funds as required by U.S. Department of Health and Human Services under 45 CFR Part 93. Restrictions on use of project funds apply to federal matching of non-federal shares of approved program budgets and include the use of equipment, material, and facilities and Agency member time and services which are either paid for with project funds or contributed to project funds. These restrictions are not intended to limit the rights of individuals to express their personal views on public issues so long as they do so in their capacity as private citizens rather than Agency members. Likewise, they are not intended to limit the freedom of local agencies to express their views on legislation so long as project funds are not used in violation of the lobbying limitation.

Project funds may not be used to support any of the following:

1. Any activity which is planned and carried out in such a manner as to disrupt the orderly conduct of business by United States Congress or any other legislative body. This includes, but is not limited to, any disruptive action carried on in the Chambers of Congress or any other legislative body or in any capitol or legislative office building.
2. Any demonstration, rally, picketing, or other form of direct action aimed at the family or home of a family member of a legislative body for the purpose of influencing his/her actions as a member of that body.
3. Any campaign or advertising carried on through commercial media for the purpose of influencing the passage or defeat of legislation.

Political Activity

CAPMC encourages personal participation in the political process in a manner consistent with all related laws and Agency policies and procedures. In addition, the Agency supports advocacy efforts and has released a general purpose statement in regards to advocacy for children and for the moderate and low-income people who are affected by poverty and/or any other social-economic issues. Employees may participate in all advocacy issues as defined and adopted by the Board of Directors; the Executive Director can provide guidance in this special area.

Know the Code

- The Agency will not reimburse employees for personal political activity.
- Your job will not be affected by your personal political views or your choice in political contributions.
- Do not use the Agency's reputation or cash, including your time at work, to further your own political or personal agenda.
- An Agency member shall not, directly or indirectly, knowingly solicit or receive political funds or contributions, from other officers or Agency members or from individuals on the employment lists of the Agency during working hours.
- No Agency member shall participate in political activities of any kind while on duty. No Agency member shall use any Agency physical/geographic spaces for any political action or activity at any time.
- Participation on a school board or similar non-partisan community board is encouraged and will not be considered in violation of Agency policies.

Section II: Employees and the Work Environment

CAPMC is committed to complying with all applicable federal, state and local laws and regulations of employment practices, such as wage, required periodic rest breaks and meal periods, employment of minors, overtime, occupational health and safety, equal employment opportunity, and sexual harassment, among others.

Alcohol and Drugs in the Workplace

Employees may not use, sell, possess, purchase, or transfer illegal drugs on Agency premises or in Agency vehicles at any time. Alcohol consumption during work hours or on Agency premises is prohibited. Employees also must not be under the influence of illegal drugs or alcohol during work hours, regardless of when the drugs or alcohol were consumed. It is also a violation of this policy to sell, transfer, or distribute personal prescription drugs on Agency premises, in Agency vehicles, or during work hours. If an employee of the Agency is found guilty of violating this policy, they shall face disciplinary action up to and including termination of employment.

Computer Use

Computers and electronic media tools are critical to the Agency's business. Everybody who uses an Agency computer must use it responsibly and respect the restrictions of use. Computer systems, inclusive of hardware and software, are the property of CAPMC. CAPMC reserves the right to monitor all information technology (IT) systems in use by employees at any given time. As such, the employees should have no expectation of privacy regarding information including history of web browsing or email messages transmitted on CAPMC-owned IT systems. Every employee will be required to acknowledge that they know and understand the Technology and Electronic Communications section of the Accounting and Financial Policies and Procedures Manual, and the Computer Systems, Internet, and Electronic Mail Policy in the Personnel Policies and Procedures Manual.

Confidentiality and the Use of Information

Employees will safeguard the Agency's non-public information, which includes personnel information/records, program participant (individuals accessing CAPMC services) files, program participant information, including financial, health records, child records, and any other records protected by a legal authority or funding source. If an employee of the Agency is found guilty of violating this policy, they shall face disciplinary action up to and including termination of employment.

Information provided from applicants or participants in programs operated and administered by Community Action Partnership of Madera County (CAPMC) such as Head Start, Migrant Head Start, Victim Services, Drought Assistance, etc. is confidential and used ***only*** in connection with determining eligibility and participation in CAPMC programs. ***It is not and cannot be used for any other purpose without your permission.*** Such information is ***not*** provided or available to other government agencies or programs including, but not limited to, Department of Homeland Security, Immigration and Customs Enforcement (ICE) or other law enforcement agencies such as the police or sheriff's department. In addition, all CAPMC employees agree to keep all information regarding CAPMC clients in the strictest confidence.

Non-public information

Non-public information is not to be disclosed to anyone outside the Agency, including family and friends, except when disclosure is required for business purposes and authorized by the appropriate Director, program participant or, where appropriate or necessary, the Executive Director.

1. Confidentiality is critically important to the Agency's mission, CAPMC's reputation in the community, and the privacy of program participants and staff. Program participant/staff files, personnel records, financial information, program participant information and other related information is considered confidential. Agency members are required to protect all information by safeguarding it when in use, filing it properly when not in use, and discussing it only with those who have a legitimate need to know. Only in cases such as threats of suicide, harm to others, suspected child abuse, or similar situation, will employees consult supervisors and outside professionals for assistance.
2. Written records on families and their children or program participants are maintained on a confidential basis at the Central Office or appropriate Center Office in locked file cabinets. Information may be made available to non-designated staff if a parent/program participant authorizes in writing the release of the information. Parents/program participants have access to all of their records, including confidential files.
3. CAPMC respects and values its employees' and program participants' privacy, and employees are expected to do the same. Personal data should be used and maintained with care and respect, while guarded against inappropriate access and disclosure. Any personal data may not be used for personal benefit or in any other inappropriate way.
4. Confidential information should be used only as necessary in performance of job duties, and never for personal benefit. Employees are responsible for the safekeeping of any confidential information, whether verbal, written, or electronic, and for limiting access to those who have a need to know in order to do their jobs. That means employees should avoid discussing confidential information in common areas in CAPMC buildings or in elevators, restaurants, air planes, taxis or other public areas.

Customer Service

As the recipient of public funds through the State of California and U.S. Federal Government, as well as private funds, it is important to remember that CAPMC team members are ambassadors. How customers are treated at CAPMC facilities not only impacts the level of service, but also can uphold or tarnish the reputation of such brands as Community Action, Head Start, and other nationally-known programs. CAPMC has developed the following customer service Standards to Live By:

Courtesy: I will greet each person that I meet with eye contact and a genuine smile.

Attitude: I will consider it an honor to be of service to the community and will let this belief shine when dealing with others.

Professionalism: I will dress and act as though I am on a job interview every day.

Make time: If I don't know the answer to a customer's question, I will personally find out. I will make time to stay with them until they are satisfied.

Closure: Each time I have the honor to speak with a customer, I will end the conversation by saying, "Thank you for contacting us today...is there anything else I can do for you?" And, mean it.

Right to Refuse Service

In order to maintain a high standard of service and provide a safe work environment for its employees, volunteers, and client families, this Agency reserves the right to refuse or discontinue service to clients. Service may be denied to any client who acts inappropriately by disrupting the normal provision of services, or if a client's behavior or environment threatens the safety of the Agency's employees, volunteers, or client families.

Inappropriate behavior includes, but is not limited to the following:

- Unreasonable demands for service
- Threatening or erratic behavior
- Misrepresentation for the need for service
- Inappropriate physical contact
- Personally threatening and offensive language

Any agency employee or volunteer can exercise the right to refuse service when confronted by a client acting inappropriately or when facing an unsafe situation. They will notify their supervisor of the situation immediately. If necessary, law enforcement may be called into remedy the situation. The right to refuse service in no way violates the customer service Standards to Live By policy of CAPMC.

Equal Opportunity Employment

CAPMC is committed to promoting equal opportunity. It recruits, hires, trains, advances, compensates, disciplines, and provides other conditions of employment on the basis of merit, and without regard to a person's race, national origin (includes language use and possession of a driver's license issued to persons unable to provide their presence in the United States is authorized under federal law), religion (including religious dress and grooming practices), color, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breast feeding), gender (a person's sex at birth), gender identity (a person's identification as male, female, a gender different from the person's sex at birth), gender expression (a person's gender-related appearance or behavior, whether or not associated with the person's sex at birth), transgender (a general term for a person whose gender identity differs from the person's sex at birth), sex stereotyping (relying on assumptions about a person's appearance or behavior, or making assumptions about an individual's ability or in ability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's gender), age, sexual orientation, military status and veteran status, or any other status protected by applicable federal, state and local laws.

Reasonable accommodations will be provided, which do not create an undue hardship for the Agency, for individuals' disabilities and religious beliefs and practices.

Harassment

CAPMC will provide a workplace where people are free to perform to their highest potential in a work environment that is free from unlawful harassment. As set forth in the Agency's policy prohibiting unlawful harassment, such harassment can take many forms, including unwelcome physical contact, inappropriate jokes or remarks, pictures, voicemails, or emails that create an offensive or hostile environment.

Bullying in the Workplace

The values of CAPMC direct team members to treat others with respect and civility. Bullying is characterized by a lack of respect for a co-worker. Bullying is sometimes obvious, but more subtle forms often cause the most damage. It can cause serious damage to an employee's self-esteem and his/her ability to be comfortable at work. Bullying is never acceptable in the workplace. Employees found to be in violation of this policy shall face disciplinary action up to and including termination of employment.

CAPMC has zero tolerance for any employee that intentionally causes pain or mental/physical harm, or commits character abuse of another employee.

Workplace bullying: Unwelcome conduct that is directed at an individual—physical, verbal or nonverbal—that unreasonably interferes with an employee's job performance or otherwise disturbs, interferes with or prevents normal work functions or activities. Bullying is a systematic campaign of interpersonal destruction that jeopardizes a person's health, career, and the job they once loved. Bullying can be a non-physical, non-homicidal form of violence. It can take many forms. Some examples include:

- Verbal abuse from swearing to name-calling to belittling;
- Physical abuse from standing too close in a threatening manner to throwing objects to assaulting;
- Emotional abuse from undermining a co-worker's work and credibility to keeping track of and reporting mistakes for the purpose of causing difficulties for the employee at work;
- Character abuse from gossiping and lying about a co-worker to purposefully damage their reputation; and
- "Professional abuse" such as actions like repeatedly finding fault with a co-worker's work publicly, talking over a colleague at meetings, or ignoring a co-worker's input about his/her job.

Reporting Harassment/Bullying Concerns

If an employee observes or experiences any form of harassment, it should be reported immediately, before the conduct becomes severe or pervasive. Employees should not feel obligated to report their complaint to their immediate supervisor, or necessarily follow any formal chain of command. A report may be made to one of the following:

- Ethics Hotline (877) 453-7244 or reportlineweb.com/capmc
- Human Resources Director (559) 675-5766
- Executive Director (559) 675-5749

When a report of bullying, harassment or retaliation is received, CAPMC will undertake a prompt, thorough and impartial investigation, as appropriate under the circumstances

Confidentiality will be maintained throughout the investigation process to the extent practical, consistent with the Agency's need to undertake an appropriate investigation.

Additional information concerning the Agency's equal opportunity and anti-harassment policies can be found in the CAPMC Personnel Policies and Procedures Handbook, which can easily be located through the CAPMC Intranet.

Health, Safety and Security of Employees

CAPMC is also committed to providing a safe and healthy environment for all Agency members and guests. Agency members must report all safety concerns or accidents to their supervisors within the same work day, no matter how slight the problem. Violence or the threat of violence will not be tolerated. All Agency members must also comply with the Injury and Illness Prevention Program, easily found on the Agency Intranet.

Employees should bring any unsafe practices, including threats or intimidation, immediately to the attention of their supervisor, program manager, safety representative, Human Resources representative, or the Ethics Hotline.

Relationships

Any workplace conduct arising from a romantic relationship, intimate relationship, family relationship, or friendship between employees may be improper if the conduct creates an uncomfortable work environment for others. Favoritism, open displays of affection, and making business decisions based on emotions or friendships rather than on the best interests of the Agency are examples of inappropriate conduct or acting without integrity. Employees who find themselves in an intimate relationship or friendship should use tact, good judgment, and sensitivity at all times.

Consensual Relationships - Non-Supervisory Personnel

While we recognize and respect the rights of employees to associate freely and to pursue personal relationships with those they encounter in the work environment, employees must use good judgment in ensuring that those relationships do not negatively impact their job performance, their ability to supervise others, or the work environment. Employees in a reporting relationship with someone that they are consensually dating, romantically involved with, living with or related to must inform the next level of management or Human Resources. CAPMC will work with both individuals to try to separate their employment and reporting responsibilities from their personal relationship in order to protect the interests of both employees and others and to avoid any conflict of interest.

Consensual Relationships - Supervisory Personnel

Employees in a position of authority need to be sensitive to the potential of sexual harassment as well as conflict of interest in personal relationships with subordinate staff or with program participants. Consensual relationships between employees in authority and their subordinates or program participants are inappropriate and in violation of the CAPMC Policies and Procedures Manual – Consensual Relationships.

Work Schedules and Time Records

CAPMC is committed to providing a work environment that complies with all applicable federal, state and local laws. CAPMC takes proactive steps to ensure Agency members are paid appropriately, classified correctly, and treated fairly.

Non-Exempt Employees

All time worked by non-exempt employees – whether scheduled or unscheduled, overtime or straight time, authorized or unauthorized – must always be recorded as actual hours worked. Supervisors will demonstrate the procedure for recording time worked. Under no circumstances may a co-worker be allowed to complete time records for another employee. Employees must keep a record of time worked as required by law or policy. All time that is not worked but for which is still paid (such as vacation or sick leave), should be noted and verified by the supervisor. If for any reason an entry must be changed, the supervisor must make the change and the employee must initial it. If an employee of the Agency violates this policy, he/she shall face disciplinary action up to and including termination of employment.

Non-exempt employees may not:

- Fail to record hours for work performed;
- Move hours from one day to another on a time record so as not to reflect overtime;
- Inaccurately record time worked; or
- Remove correctly recorded hours from a time record.

Exempt Employees

Exempt employees are paid for the general value of their services, rather than the actual hours spent on the job. Exempt status is determined by state and federal law, and includes employees who are paid a certain level of compensation as defined under federal and state law and: (1) manage two or more employees, (2) do work related to administrative policies or have decision-making authority, or (3) do a job that requires very specialized or advanced education. Job descriptions are evaluated by CAPMC Human Resources and leadership to determine the appropriate classification. Employees whose job description is classified as exempt shall receive 48 hours of administrative leave annually, to help balance the extra hours that are usually worked. Acting with integrity for exempt employees means being responsible and accountable for hours worked and the completion of job responsibilities. This administrative leave is not considered deferred compensation or vacation pay and is not paid out upon separation from employment.

All workers must be properly categorized (as exempt or non-exempt and as employee or independent contractor) under all state and federal employment and tax laws. Employees will be given appropriate meal and rest periods as required in the Agency's Personnel Policies and Procedures Manual. Any questions regarding work schedules, time records, or job classification should be directed to the immediate supervisor, or the Human Resources department.

Section III: Children's Safety and Child Rights

Safety of Children

CAPMC must provide appropriate supervision of all enrolled children, ensuring staff and volunteers do everything they can to prevent injury and minimize the risk of harm to children, and using positive methods of child guidance as described in this policy.

CAPMC has zero tolerance for negligence that could lead to injury or risk of injury to program participants/children enrolled in CAPMC programs or services. All programs under CAPMC must have written regulations that mandate staff to supervise outdoor and indoor play areas, so child safety can be easily monitored and ensure that CAPMC has established and maintained standards of conduct under which no child will be left alone or unsupervised. CAPMC employees are responsible to supervise children at all times. CAPMC must fulfill the requirements below:

1. Supervise for children's involvement. Protecting children from injury requires staff to limit children's access to hazards, whether by eliminating them or by using barriers to prevent access to them.
2. All staff should work to anticipate potential injury-causing events and environments and implement a proactive plan and strategies to reduce the risk of injury to children. It is each employee's responsibility to inform their immediate supervisor verbally and in writing of the potential danger as soon as possible.
3. The Agency has zero tolerance for negligence that could lead to injury or the risk of injury. Leaving a child unsupervised or allowing a child to leave Agency premises without a parent/guardian is grounds for discipline up to and including the possible termination of employment due to negligence of the staff member responsible for the child.
4. In addition, to ensure the safety of the child enrolled in CAPMC programs, the following rules of conduct must be abided by all employees and volunteers:
 - a. Respect and promote the unique identity of each child and family.
 - b. Understand and acknowledge that no child under 15 years of age shall be left alone or unsupervised while under Agency care.
 - c. Use positive methods of child guidance that do not engage in corporal punishment, emotional or physical abuse, humiliation, isolation, denial of basic needs, or use food as punishment or reward.
 - d. Protect children's personal rights.
 - e. Understand and acknowledge that no child may be removed from the supervision of Agency staff by someone other than the child's own parent or guardian or other authorized person.

Child Rights

CAPMC has adopted the State of California Community Care Licensing Regulations for Child Rights, which describe the certain rights given to every child in a child care setting/center. Employees of CAPMC shall ensure the following rights are given to every child under their care, either as part of a child care setting/center, or receiving other services at CAPMC:

1. To be accorded dignity in his/her personal relationships with staff and other persons.
2. To be accorded safe, healthful and comfortable accommodations, furnishings and equipment to meet his/her needs.
3. To be free from corporal or unusual punishment, infliction of pain, humiliation, ridicule, coercion, threat, mental abuse, or other actions of a punitive nature, including but not limited to: interference with daily living functions, including eating, sleeping, or toileting; or withholding of shelter, clothing, medication or aids to personal functioning.
4. To be informed, and to have his/her authorized representative, if any, informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the licensing agency and of information regarding confidentiality.
5. To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. Attendance at religious services, either in or outside the facility, shall be on a completely voluntary basis. In child care centers, decisions concerning attendance at religious services or visits from spiritual advisors shall be made by the parent(s), or guardian(s) of the child.
6. Not to be locked in any room, building, or facility premises by day or night.
7. Not be placed in any restraining device, except a supportive restraint approved in advance by the licensing agency.

Child Abuse and Mandated Reporting

Children are our greatest treasure. All Agency employees who come into regular contact with children through their jobs are required by law to report all known or suspected instances of child abuse or neglect. The California law gives clear guidelines how these “mandated reporters” are to report child abuse and neglect.

The Acting with Integrity handbook meets the Office of Head Start Performance Standards 1304.52(i) Standards of Conduct.

The handbook through out its content ensures that employees understand and are informed of the expectations by CAPMC and Office of Head Start.

Information regarding child and family’s rights, adherence to confidentiality policies & procedures; supervision of children, positive child guidance, and conflict of interests is embedded throughout the handbook. The information provides details of the agency’s expectations and disciplinary actions should employees fail to comply.

What is Child Abuse?

Under California law, child abuse is a crime.

Children need protection because they are vulnerable and often unable to speak for themselves. The California Child Abuse Reporting Law, along with other state laws provides the legal basis for action to protect children and to allow intervention by public agencies if a child is maltreated. California law defines child abuse as any of the following:

- A child is physically injured by other than accidental means
- A child is subjected to willful cruelty or unjustifiable punishment
- A child is abused or exploited sexually
- A child is neglected by a parent or caretaker who fails to provide food, clothing, shelter, medical care or supervision.

Any child may be victimized. Child abuse crosses all socioeconomic, ethnic, cultural, occupational, religious and age groups. It can occur in the child's home or outside the family. Tragically, it happens most often at home, and usually the abuser is known to the child. Generally, the abuser is a caretaker. A caretaker can be a parent, stepparent, rela-

It is each employee's responsibility to be informed and aware of CAPMC Child Abuse and Neglect Reporting procedures. Please refer to CAPMC Personnel Policies and Procedures Handbook for the reporting procedures to be followed by all staff. Any individual who fails to report an instance of child abuse, which he or she knows to exist or reasonably suspects to exist, as required by California law, is guilty of a misdemeanor and is punishable by confinement in a county jail for a term not to exceed six months, or by a fine of not more than one thousand dollars (\$1,000), or both; and in addition, dismissal from the Agency.

Each employee and volunteer has the responsibility to ask questions, seek guidance, and report suspected violations of this conduct. The Agency will not tolerate any retaliation against employees/volunteers who come forward to raise concerns regarding a breach of any child's or parent's rights.

Reporting:

If any employee/volunteer believes this policy has been violated, they should contact the following:

- The immediate supervisor
- Head Start Director
- Executive Director
- The Ethics Hotline at (877) 453-7244 or reportlineweb.com/capmc 24 hours a day, 7 days a week
- Community Care Licensing at (559) 243-4588.



Section IV: Administration of The Code

The Code is designed to ensure consistency in how employees conduct themselves within the Agency and/or directly outside the Agency. The procedure for handling potential violations of the Code has been developed to ensure consistency across the Agency. No set of rules can cover all circumstances. These guidelines are a framework for all Agency members regarding what is expected and how to respond in the area of business ethics and conduct. The Code is a tool for pursuing excellence in the Agency.

Responsibility

The responsibility for administering The Code rests with the Ethics and Compliance Committee, with oversight by the Executive Director. The Ethics and Compliance Committee is comprised of the Executive Director, Chief Financial Officer, Human Resources Director, and, as needed, a member from the CAPMC Board of Directors, and/or Finance Committee.

The committee has a responsibility to:

- Monitor, oversee and review compliance by the Agency's directors, officers and employees with, and recommend changes to the board of directors regarding The Code;
- Review CAPMC's systems to ensure it achieves non-profit best practices in terms of transparency and accountability;
- Serve as the initial reviewing body for allegations of violations of The Code, as well as allegations of wrongdoing concerning directors or the Executive Director; make recommendations to the board as to whether an internal investigation, outside investigation or some other action should be initiated by the Agency;
- Make recommendations to the Board about responses to communications with regulatory authorities and agencies arising out of inquiries and investigations relating to The Code and applicable state and federal laws;
- Follow up on all instances of non-compliance reported to the committee to ensure management has taken appropriate corrective action;
- Make recommendations to the Board and to management with respect to the interpretation and enforcement of The Code; and
- Review and reassess The Code and recommend any proposed changes to the board for approval.

Procedures and Administration

To ensure compliance, the following administrative procedures apply:

- The Ethics and Compliance Committee shall meet quarterly, or as necessary in order to perform its responsibilities. The committee shall keep such records of its meetings as it shall deem appropriate.
- The committee shall report quarterly to the Board.

- The committee shall have the authority to engage such independent legal and other advisors as it deems necessary or appropriate to carry out its responsibilities. Such independent advisors may be the regular advisors to the Agency. The committee is empowered, without further action by the board, to cause the Agency to pay the compensation of such advisors as established by the Agency.
- The committee shall have the authority to conduct or authorize investigations into any matters within the scope of its responsibilities as it shall deem appropriate, including the authority to request any officer, employee or advisor of the Agency to meet with the Committee or any advisors engaged by the committee.
- At least annually, the committee shall evaluate its own performance.

Decisions

The Ethics and Compliance Committee makes all decisions about Code violations and discipline, but may delegate certain categories of decision to the Executive Director. Those found to have violated The Code can seek reconsideration of the violation and disciplinary action decisions through the Agency's or SEIU's Grievance Procedure.

Disciplinary Actions

CAPMC strives to impose discipline that fits the nature and circumstances of each Code violation. The Agency generally uses a system of progressive discipline, issuing letters of reprimand for less significant, first-time offenses. Violations of a more serious nature may result in suspension without pay, demotion, or dismissal. This is not required in all circumstances such as, but not necessarily limited to, provisional employees or employees on probationary status.

When an employee is found to have violated the Code, notation of the final decision, and a copy of any letter or reprimand, will be placed in the employee's personnel file as part of the employee's permanent record.

Reporting of Code Decisions and Investigations

The Ethics and Compliance Committee periodically reports all pending Code investigations and final Code decisions, including disciplinary actions taken to senior management of the Agency, to the Board of Directors, or the grantee funding source, as required by contract language.

Signature and Acknowledgment

All new employees must sign an acknowledgement form confirming that they have read The Code and agree to abide by its provisions. All employees will be required to make similar acknowledgement on a periodic basis. Failure to read The Code or sign the acknowledgement form does not excuse an employee from compliance with The Code.

Supporting Documents

For more detail, please refer to these documents that can be found in our website at www.maderacap.org or in CAPnet:

- Personnel Policies & Procedures Manual
- Accounting & Financial Policies & Procedures Manual

Warning Signs

You're on Thin Ethical Ice When You Hear...

"It doesn't matter how it gets done as long as it gets done."

"No one will ever know."

"We didn't have this conversation."

"It sounds too good to be true."

"Shred that document."

"I deserve it."

"We can hide it."

"It's all for a good cause."

"Well, maybe just this once."

"Everyone does it."

"This will destroy the competition."

"What's in it for me?"

"It's okay if I don't gain personally."

"No one will get hurt."

"This is a 'non-meeting.'"



You can probably think of many more phrases that raise warning flags. If you find yourself using any of these expressions, ask...and keep asking until you are certain you are doing the right thing.

A Pledge of Professional Conduct

As a professional, I acknowledge and agree to honor my ethical obligations to my fellow CAPMC team members, stakeholders, business partners and to the public. I promise to comply with CAPMC's Code of Ethics and Business Conduct and to treat everyone fairly and with dignity. I promise to go beyond the letter of our policies and the law to conform to the spirit and intent as well. I promise to take personal accountability for what I do right and wrong. And I promise not to take credit for the work of others, but rather to give credit and honor the contributions of others. I also promise to:

- Conduct myself in a manner which reflects great credit on the Agency, my fellow CAPMC team members, on the community action movement, and to myself.
- Speak the truth with no intent to deceive or mislead by technicalities or omissions.
- Ensure my performance reports are accurate and honest and include progress, problems and plans.
- Model the Agency's six Core Values every day.
- Refrain from behavior that harms the public's perception of CAPMC.
- Honor all agreements I make with team members and stakeholders.
- Avoid all action or perceived conflicts of interest and, if in doubt, to openly disclose and discuss my concerns.
- Take personal accountability for my actions – success and failure.
- Take personal accountability for recognizing and reporting breaches of the Code.
- Discharge my responsibilities with dedication to achieving the Agency's mission and in line with CAPMC's values.
- Serve all constituents of CAPMC impartially, and provide no special privilege to an individual constituent or organization.
- Not to accept special personal compensation from an individual constituent beyond the limitations established by CAPMC principle and policies, which include full disclosure and arm's length's dealings.
- Comply with all levels of governmental regulations and CAPMC policy concerning lobbying and political activities and using only legal, ethical and moral means when attempting to advocate on behalf of children or families.
- Disclose information that belongs in the public domain freely and completely but protecting that information which is confidential (generally related to business plans, activities in the marketplace and personal information relating to character and competence of people within the Agency or stakeholders).