



THE
FEDCAP
G R O U P

The Power of Possible

Code of Ethics & Code of Conduct



Code of Ethics

It is expected that all The Fedcap Group employees will maintain the highest ethical standards while conducting business. As a matter of fundamental principle, The Fedcap Group believes that it must adhere to the highest ethical standards because it is the right thing to do and because the organization's legitimacy is based on the public's trust in its performance. Donors, volunteers, and customers support The Fedcap Group because they trust us to carry out its mission, to be good stewards of its resources, and to uphold rigorous standards of conduct.

The Fedcap Group must earn public trust every day and in every possible way. Adherence to the law is the minimum standard of expected behavior. The Fedcap Group recognizes that it must do more than simply obey the law. We must embrace the spirit of the law, often going beyond legal requirements to ensure we are stewards of good governance. Transparency, openness and responsiveness to public concerns are integral to the success of The Fedcap Group as an organization.

The Fedcap Group is committed to adhering to ethical codes of conduct in the areas of business, marketing, service delivery, human resources and professional responsibilities.

FEDCAP'S CODE OF ETHICS

I. Personal and Professional Integrity

All Fedcap employees, Board members and volunteers act with honesty, integrity and openness in all their dealings as representatives of the organization. The Fedcap Group promotes a working environment that values respect, fairness and integrity.

II. Mission

The Fedcap Group has a clearly stated mission and purpose, approved by the Board of Directors, in pursuit of the public good. The mission is as follows:

The mission of The Fedcap Group, Inc. is to create opportunities for people with barriers to move toward economic independence as valued and contributing members of society.

The Fedcap Group seeks to accomplish its mission by providing services to individuals, businesses and government through our four practice areas: Education, Workforce Development, Economic Development and Occupational Health, in accordance with the highest ethical standards.

All Fedcap programs support the mission and all who work on behalf of The Fedcap Group understand and are loyal to the mission and purpose. The mission is responsive to the organization's constituency and communities and of value to the society at large.

III. Governance

The Fedcap Group Board of Directors is responsible for developing the mission and strategic direction of the organization and oversight of the finances, operations, and policies of the organization. The Board of Directors:

- Ensures that its members and employees have the requisite skills and experience to carry out their duties and that all members understand and fulfill their governance duties acting for the benefit of the organization and its public purpose.
- Has a conflict of interest policy that ensures that any conflict of interest, or the appearance thereof, are avoided or appropriately managed through disclosure, recusal or other means. This policy applies to the Board and all Fedcap Group employees.
- Is responsible for the hiring, firing, and regular review of the performance of the Chief Executive Officer and ensures that the compensation of the President and CEO is reasonable and appropriate.
- Ensures that the President & CEO and appropriate staff provide the governing body with timely and comprehensive information so that the governing body can effectively carry out its duties.
- Ensures that the organization conducts all transactions and dealings with integrity and honesty.
- Ensures that the organization promotes working relationships with Board members, employees, volunteers, and program beneficiaries that are based on mutual respect, fairness and openness.
- Ensures that the organization is fair and inclusive in its hiring and promotion policies and practices for all board, staff and volunteer positions.
- Ensures that the personnel policies of the organization are in writing, clearly articulated and officially adopted.
- Ensures that the resources of the organization are responsibly and prudently managed.
- Ensures that the organization has the capacity to carry out its programs effectively.

IV. Legal Compliance

The Fedcap Group strives to be fully knowledgeable of, and in compliance with, all laws and regulations as applicable.

V. Responsible Stewardship

- The Fedcap Group manages its funds responsibly and prudently.
- The Fedcap Group spends a substantial percentage of its annual budget on programs in pursuance of its mission.

- The Fedcap Group spends an appropriate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff, and other expenditures critical to professional management.
- The Fedcap Group compensates staff, and any others who may receive compensation, reasonably and appropriately.
- The Fedcap Group has reasonable fundraising costs, recognizing the variety of factors that affect fundraising costs.
- The Fedcap Group accumulates an appropriate level of operating funds.
- The Fedcap Group ensures that all spending practices and policies are fair, reasonable and appropriate to fulfill the mission of the organization.
- Financial reports are factually accurate and complete in all material respects and meet all generally accepted standard operating procedures/accounting standards.

VI. Openness and Disclosure

The Fedcap Group provides accurate information to the public, the media, and all stakeholders, and is timely in responding to reasonable requests for information. All information communicated about The Fedcap Group fully and honestly reflects the policies and practices of the organization. Financial information about the organization is posted on the Fedcap Group website or are otherwise available to the public upon request. All solicitation materials accurately represent the policies and practices of Fedcap and reflect the dignity of program beneficiaries. All financial, organizational, and program reports will be complete and accurate in all material respects.

VII. Program Evaluation

The Fedcap Group regularly reviews program effectiveness and has mechanisms to incorporate lessons learned into future programs. The Fedcap Group is committed to improving program and organizational effectiveness and develops mechanisms to promote learning from its activities and the field and is responsive to changes in its field of activity and to the needs of its constituencies.

VIII. Inclusiveness and Diversity

The Fedcap Group has a policy of promoting inclusiveness and its staff, Board, and volunteers reflect diversity to enrich its programmatic effectiveness. The Fedcap Group takes meaningful steps to promote inclusiveness in its hiring, retention, promotion, board recruitment and constituencies served.

IX. Fundraising

As an organization that raises funds from the public or from donor institutions, The Fedcap Group respects the privacy concerns of individual donors and spends funds consistent with donor intent. The Fedcap Group discloses important and relevant information to potential donors.

The Fedcap Group respects the rights of donors, as follows:

- To be informed of the mission of The Fedcap Group, how resources will be used and its capacity to use donations effectively for intended purposes.

- To be informed of the identity of those serving on The Fedcap Group’s governing board and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- To have access to The Fedcap Group’s most recent financial reports.
- To be assured gifts will be used for the purposes for which they were given.
- To receive appropriate acknowledgement and recognition.
- To be assured that information about donations is handled with respect and with confidentiality to the extent provided by the law.
- To expect that all relationships with individuals representing The Fedcap Group will be professional in nature.
- To be informed whether those seeking donations are volunteers, employees of The Fedcap Group or hired solicitors.
- To have the opportunity for their names to be deleted from mailing lists that The Fedcap Group may intend to share.
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Our Code of Conduct



**OUR CODE OF CONDUCT IS
DEFINITIVE: IT IS NOT NEGOTIABLE.**

The reputation of The Fedcap Group is based on the actions and behaviors of our employees. Our code of conduct defines our expectations and guiding principles for appropriate workplace behavior. Good ethical conduct in the workplace indicates that employees take pride in their company's ethical standards and have respect for other employees, customers, suppliers and partners.

An employee of The Fedcap Group is expected to maintain a working environment that encourages mutual respect and professionalism, promotes civil and congenial relationships among other employees, and is free from all forms of harassment and violence. An Employee of The Fedcap Group does not discriminate against other people based on religion, creed, race, color, sex, sexual orientation, genetic information, national origin, age, gender, gender identity or expression, disability, marital status, citizenship status, domestic partnership, military status or status as a veteran or any other protected characteristic in accordance with applicable law. Harassment of any kind is not tolerated, and violations can lead to termination. Employees reject business gifts that may create the appearance of impropriety or unfair influence and conflict of interest.

An employee is expected to conduct himself/herself in an appropriate manner as would be judged by a reasonable person. An employee has the right to perform his/her job without disorderly or undue interference from other employees.

The Fedcap Group considers intentional harm or threat of harm to employees, clients, vendors, visitors or property belonging to any of these parties as unacceptable behavior. Unacceptable conduct includes but is not limited to intentional acts such as:

- Physically harming others
- Verbally abusing others
- Using intimidation tactics and making threats against The Fedcap Group clients or co-workers
- Sabotaging another's work
- Stalking others
- Making false statements about others with malice that causes harm
- Possessing firearms, weapons or dangerous substances while at the workplace, unless otherwise permitted by applicable law

Other types of behavior that are considered unacceptable at the workplace include but are not limited to:

- Insubordination and lack of cooperation
- Placing long distance personal telephone calls or making and receiving excessive personal telephone calls; unauthorized, excessive use of fax, photocopy machines, computers or any other The Fedcap Group equipment
- Excessive absences (including late arrival and early departure)
- Removing The Fedcap Group property or records without authorization
- Falsifying The Fedcap Group records or reports (i.e.: his/her time-keeping record and expense reports)

An employee is responsible for maintaining his/her work area in a neat and professional manner.

Employees are responsible for assuring the security of confidential/proprietary material in their possession and similarly maintaining the security of Agency provided equipment. An employee should be concerned about the security of his/her work area or equipment. Employees should review the [Whistleblower Policy](#) for more information about trade secrets.

The Fedcap Group reserves the right to search unlocked and/or publicly used Agency property at any time without consent. The Fedcap Group may request a search of personal property at the worksite or locked company property assigned to an individual if there is reasonable suspicion to believe that there is evidence of illegal or prohibited activities.

Fedcap may take disciplinary action against an employee who violates this or other Agency policies and practices.

Ethics and Conflict of Interest

Ethics are a driving force of The Fedcap Group. Organizations that conduct business in an ethical manner generate respect, trustworthiness, and loyalty from both employees and business partners. Ethics within the workplace includes the application of principled behavior, standards, codes of conduct, to everyday business transactions.

Ethical standards guide individuals and the company to act in an honest and trustworthy manner in all interactions. These standards require that employees make good decisions for the company, not the individual, and give them the courage to come forward should they notice dishonest and unethical behavior.

All employees should avoid situations where personal interests conflict, or even appear to conflict with the interests of The Fedcap Group. A conflict of interest occurs when an employee's personal interests, or those of family or friends, interfere with the interests of The Fedcap Group. Conflicts of interest can potentially undermine business judgment, threaten the reputation of Fedcap, and expose The Fedcap Group to legal risks.

A potential or actual conflict of interest occurs whenever an employee can influence a decision that may result in a personal gain for the employee or an immediate family member.

Employees must disclose any possible conflicts whenever and as soon as such relationship exists so that Fedcap may assess and prevent potential conflicts of interest from arising.

CONFLICTS OF INTEREST

All Fedcap Group Board members and all management personnel must disclose any existing or potential conflict of interest.

A conflict of interest is defined as any activity or action that may or potentially:

- Conflict with the mission, philosophy, objectives or strategic plan of Fedcap.
- Is in direct client competition with Fedcap.
- Places Fedcap, The Fedcap Group personnel, clients or their families at risk ethically, financially or legally.
- Violates local, state or federal statutes or regulations.
- Presents an appearance of personal gain or advantage.



SOME ARE BORN WITH
TALENT, OTHERS WITH
MONEY, BUT WORK ETHIC
LEVELS THE FIELD.

The Fedcap Group Board will also review relationships with other agencies, organizations, health care providers, educational institutions and funders ensuring that relationships comply with all local, state and federal regulations, as well as promote our mission and philosophy.

All Fedcap Group Board members and administrative staff will complete the Conflict of Interest Form during orientation and annually thereafter. Forms signed by Board members will be retained by the office of the President and CEO. Forms signed by management will be retained in their personnel files in the Human Resources Department.

All Fedcap Group employees and Board members are expected to avoid any situation that involves or may involve a conflict between their personal interest and the interest of the Agency. Board Members dealing with customers, suppliers, contractors, competitors or any other person conducting or seeking business with the Agency must act in the best interest of the Agency.

Employees, Board Members and contractors are required to make prompt and full disclosure in writing to their manager of any potential situation that may involve a conflict of interest. Such conflict includes:

- Ownership by staff or family member of a significant interest in any outside enterprise that conducts or seeks to conduct business with the agency or its competitor.
- Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise that is seeking to do business with or is a competitor of the Agency. Exceptions must be approved by the President & CEO.
- Acting as a broker, finder, go-between or otherwise acting for the benefit of a third-party in transactions involving or potentially involving the Agency or its interests.
- Any other arrangements or circumstances, including family or other personal relationships that might dissuade the employee from acting in the best interest of Fedcap.

COMPLIANCE

Violation of this policy will be subject to disciplinary action or immediate discharge. Employees who have knowledge or suspicion of improper conduct or activities, of violation of any law or The Fedcap Group policy by any employee or person acting on behalf of Fedcap, or any other outside party conducting business with Fedcap, are expected to immediately bring the matter to the attention of the President and CEO or General Counsel.

Although the information will be kept confidential to the extent possible, complete confidentiality cannot be assured if The Fedcap Group finds it necessary to investigate the reported improper activity. The Fedcap Group will not tolerate retaliation against anyone who reports improper conduct or activity in good faith, even if an investigation reveals that the report was groundless. However, if such report includes an acknowledgement of personal wrongdoing, an employee cannot be guaranteed protection against disciplinary action. Additionally, disciplinary action up to and including termination of employment may be taken against any employee who fabricates any part of such a report or who makes such a report in bad faith or in retaliation against someone else.

GIFTS, FAVORS, AND PAYMENTS

There may be limited circumstances when it is appropriate for gifts, favors and/or payment to be made to vendors or any business contact by a Fedcap employee, at the expense of Fedcap. When these circumstances arise, they must be discussed with the supervisor prior to any action being taken.

Payments, commissions or other compensation paid to or for the benefit of associates or business contacts (or their family members or associates) that are not required by written contract are against policy.

There may be occasions when a Fedcap employee is offered or given gifts, favors or payments by vendors, customers or clients. Following are guidelines for accepting gifts, favors and/or payments:

- An Employee shall not seek for him/herself or others, any gifts, favors, entertainment, payments without a legitimate business purpose, nor shall he/she seek or accept personal loans from any persons or business organizations that do or seek to do business with The Fedcap Group or that is a competitor of Fedcap.
- An employee may accept for him/herself common customary courtesies usually associated with customary business practices. These include but are not limited to:
 - Lunch and/or dinner with vendors for legitimate business reasons.
 - Gifts of small value from vendors such as calendars, pens, pads, etc.
 - Gifts of perishable items usually given during the holidays such as hams, cookies, nuts, candy, etc.

A strict standard is expected with respect to gifts, services, discounts, entertainment or considerations of any kind from suppliers. An employee or Board member who is offered gifts in excess of those that are of nominal value, are required to report such offers along with appropriate details to their Area VP or Direct Supervisor (in the case of staff) or the Chair of the Board, President of The Fedcap Group, or the General Counsel (in the case of Board members).

Management and supervisory staff should not accept gifts from those under their supervision for more than minimal value. An employee should not accept gifts from consumers or individuals receiving services from Fedcap.

Concerns about violations of this policy may be raised using the Whistleblower Policy.

Whistleblower Policy

The Fedcap Group Code of Ethics ("Code") requires all employees, Board members and volunteers to observe high standards of business and personal ethics when performing their respective responsibilities and acting as agents of Fedcap.

It is the responsibility of all employees, Board members and volunteers to comply with the Code and to report violations or suspected violations in accordance with this policy.

The Whistleblower Policy has been developed to enable The Fedcap Group employees, Board members and volunteers to report any concerns they may have about ***accounting and auditing matters, conflict of interest issues, disclosure of confidential information, donor stewardship, falsification of contracts, reports or records, or any other serious issues and concerns*** regarding the operation or management of Fedcap. These reports may be made anonymously and without fear of retaliation.

No one who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. Any employee who retaliates against someone who has reported a violation or suspected violation in good faith is subject to discipline, up to and including termination of employment. This policy is intended to encourage and enable employees and others to raise serious concerns within the Agency prior to seeking resolution outside the Agency.

Nothing in this policy, or any other Agency policy or agreement, shall prohibit employees, Board members, or volunteers from reporting suspected violations of law or regulation to any governmental agency, regulatory body, self-regulatory organization, or law enforcement agency (collectively a "law enforcement entity"), from making any other disclosures that are protected under any law or regulation, or from participating or cooperating in any inquiry, investigation, or proceeding conducted by such law enforcement entity, or from making other disclosures that are protected under state or federal law or regulation.

*Our lives begin and end the day
we become silent about the
things that matter.*

Martin Luther King Jr.

Finally, please be aware that, pursuant to the Defend Trade Secrets Act of 2016, an individual may not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that: (a) is made (i) in confidence to a federal, state, or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (b) is made in a complaint or other document that is filed under seal in a lawsuit or other proceeding. Further, an individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the employer's trade secrets to the attorney and use the trade secret information in the court proceeding if the individual: (a) files any document containing the trade secret under seal; and (b) does not disclose the trade secret, except pursuant to court order.

Employees should avail themselves of The Fedcap Group Grievance Policy or Anti-Discrimination/Anti-Harassment Policy if they have concerns about work, harassment or any discriminatory related issues.

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct a thorough investigation.

There are a number of ways in which employees, Board members and volunteers can speak up and report concerns under this policy. Individuals may speak directly with their supervisor, or with members of the Human Resources or Legal Departments. Individuals may send an email to the Corporate Compliance Officer at corporatecompliance@fedcap.org. and concerns may be raised via the Compliance Hotline.

There are two (2) ways an individual can access the hotline — via telephone or via the internet.

- 1. Allegations Reported Via Telephone:** An individual trained in receiving and documenting calls of this nature will take the information provided by the reporter. The reporter will not be required to give his/her name. He/she will be given a code number so that he/she can call at a later date to check for any messages if additional information is needed to complete the investigation or to advise the reporter of the status/outcome of the investigation. The telephone number is 1-866-384-4277; TTY: 1-866-294-9572.
- 2. Allegations Reported Via Internet:** The reporter will have the ability to go to a “landing” page specifically designated for The Fedcap Group reporters and enter the information about his/her concern. The reporter has the option to file the report anonymously using this method as well. An access code will be provided which will allow the reporter to return to the website in order to check for any messages if additional information is needed to complete the investigation or to advise the reporter of the status/outcome of the investigation.

There are two (2) ways to access the landing page. There is a logo on the Fedcap Group website home page entitled EthicsPoint. Clicking on the logo will link the reporter directly to the landing page which looks similar to Fedcap websites; or the landing page may be accessed by going to the EthicsPoint website (<http://www.ethicspoint.com>) and entering “Fedcap” in the space requesting the name of the organization being reported.

The Human Resources staff will respond to any reported violations or suspected violations through the whistleblower hotline reporting system to acknowledge receipt of the reported violation or suspected violation within fifteen (15) business days through an anonymous code provided by the outside provider engaged by Fedcap. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted. The whistleblower hotline reporting system will allow the Vice President of Human Resources or designated members of Human Resources to ask the reporter to provide additional information if needed while still maintaining the anonymity of the reporter.

Where the reporter is known, the reporter will be notified when the investigation is completed, and the appropriate action(s) is taken.

PRIVACY POLICY/HIPAA

We are committed to maintaining the accuracy, security and confidentiality of your personal information. Authorized Human Resources or other staff may have access to your personal information on a “need-to-know” basis for business purposes.

We may collect and maintain information about you and your employment relationship with Fedcap, as well as information about your spouse, domestic partner and dependents. Personal information may include name, home address, personal email and telephone number, date of birth, social security number, marital status and any other information necessary to the business purposes of Fedcap, which is voluntarily disclosed during your application for and employment with the Agency.

In addition to the personal information stated above, we may also collect personal information such as documentation required under immigration laws; compensation, payroll and related financial information; employment details; talent management information; system and application access data; facilities access data; regulatory and compliance information; other sensitive information that may be required for business purposes and as permitted by law.

Under the Health Insurance Portability & Accountability Act (HIPAA), personally identifiable information that is used in conjunction with one’s physical or mental health or condition, health care, or one’s payment for that health care, is considered Protected Health Information (PHI). It is the policy of The Fedcap Group to provide administrative, physical and technical safeguards for PHI in accordance with the HIPAA Privacy and Security Rules. In addition, employees are expected to use care when handling or discussing another employee's medical condition or personal situation, and to take appropriate precautions in handling all personal information, including PHI, of clients and participants. Employees are prohibited from using PHI of co-workers, clients and participants for their personal use. Employees are not to copy, download, share or otherwise maintain possession of PHI outside of The Fedcap Group systems. Failure to comply with this policy and other related policies regarding data privacy and security may lead to disciplinary action, up to and including termination of employment.