

# United Way of Berks County Code of Ethics and Conduct and Whistleblower Policy

LIVE UNITED™



United Way of Berks County

## Open Letter to United Way of Berks County Staff, Volunteers and Representatives

For more than 80 years, United Way of Berks County has been making a positive impact on our community's most pressing health and human service challenges. As we did this we created a reputation, and an expectation, for high standards of lawful and ethical conduct. This extraordinary high level of trust within the community and among our stakeholders perhaps, is our greatest asset.

United Way of Berks County's success depends on the maintenance of the trust placed in the organization by the community and our stakeholders. Therefore, we ask each person associated with United Way of Berks County to make a personal commitment to lawful and ethical conduct and to follow our Code of Ethics and Conduct. The organization's Core Values and the seven Code Provisions are intended to guide us in our ethical commitment and conduct.

United Way of Berks County's leadership has the responsibility of fostering a culture in which compliance with the Code Provisions is at the core of our business activities. In addition, each individual is responsible for raising questions or concerns about what is proper conduct for you, or anyone else affiliated with the organization. An assigned Ethics Officer will address concerns about inappropriate conduct with care and respect.

We are privileged to be associated with one of the county's premier health and human service organizations. With so much at stake we must preserve and strengthen, what has been and continues to be, United Way of Berks County's foundation for success – trust in our work and our commitment to the highest standards of lawful and ethical conduct. Thank you for your strong and unwavering support of this Code.

Tammy White  
President

Gerald A. Nau  
Chairman

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**The United Way of Berks County is committed to strengthening our community by bringing local people together - - volunteers, community groups, contributors and agency partners - - to focus on and address our community's most challenging health and human service issues. Your United Way gift, magnified by others who support United Way, has the real power to bring about the results that matter right here in Berks County. Your one gift to United Way helps children make better choices, families become stronger and seniors enjoy a fuller life...and that's what matters.**

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The success of the United Way of Berks County depends on the ethical conduct of everyone affiliated with the organization. United Way of Berks County, therefore, has issued a set of policies to implement its Code of Ethics and Conduct and Whistleblower Policy. The Code contains basic information about our philosophy and policies. While this document may not anticipate all of the challenges that may arise, the Code does communicate key guidelines that will assist United Way of Berks County staff, volunteers and representatives in making ethical decisions. In so doing we will maintain the unique trust people have in our organization.

### ***Who must follow the United Way of Berks County Code of Ethics and Conduct and Whistleblower Policy?***

**United Way of Berks County staff:** the United Way of Berks County Code of Ethics applies to all employees of the organization.

**United Way of Berks County Volunteers:** the United Way of Berks County Code of Ethics applies to all individuals serving as volunteers of the organization.

**United Way of Berks County Representatives:** the United Way of Berks County Code of Ethics applies to all individuals serving as representatives of the organization, such as consultants, agents or independent contractors.

### ***Responsibilities***

United Way of Berks County staff, volunteers and representatives must follow these basic obligations common to all policies:

- Have a basic understanding of issues covered by each Provision included in the Code, and a detailed understanding of the Provisions related to your specific job.
- Seek assistance from your supervisor or other United Way of Berks County compliance contacts when you have a question about the application of the Code Provisions. (See How to Report Violations on page 12.)
- Promptly raise any concern you or others have about possible violations of the Code Provisions, or about a potential request that may violate the Code Provisions.

- Understand the options and procedures available for raising ethical concerns. These are detailed in the Whistleblower Policy section.
- If an issue is raised, but not resolved, raise it again with another one of the compliance contacts. (See How to Report Violations on page 12.)
- Cooperate fully in any investigation into concerns about unethical behavior.
- Understand United Way of Berks County prohibits any form of retaliation or adverse action against anyone raising or helping to resolve an ethical question.

*In addition, United Way of Berks County leadership is expected to:*

- Build and maintain a culture of compliance, leading by example and using personal behavior as a model for staff, volunteers, and representatives.
- Ensure staff, volunteers, and representatives are educated so they understand the requirements of the Code.
- Identify and communicate special risk areas that exist within the organization's operation.
- Conduct periodic compliance reviews.
- When compliance issues are identified, take prompt corrective or disciplinary action, and consult legal counsel as required.

### ***Noncompliance***

Individuals who violate these policies are subject to disciplinary action up to and including termination of employment, termination of volunteer participation, cancellation of representative contracts.

### ***Commitment***

United Way of Berks County staff, volunteers, and representatives are asked to acknowledge their commitment to the Code of Ethics and Conduct and Whistleblower Policy with their signature on the Code of Ethics Certification page. Newly hired and/or recruited individuals will be asked to sign the Certification as part of their orientation process.

### *Vision and Mission*

The **Vision** of United Way of Berks County is to enhance the quality of life in our community by mobilizing the desire and capacity of people to care for one another.

The **Mission** of the United Way of Berks County is to be the steward of a voluntary community process, which harnesses human and financial resources toward building a stronger community through collaborative resolution of identified health and human service challenges.

United Way of Berks County's role as a leader in the health and human services sector requires all persons involved with United Way of Berks County to assume responsibility of maintaining the public's trust. To fulfill this obligation to the community and ourselves, our Core Values provide the foundation on which we base our actions and decisions.

### *Integrity*

We act in a manner that is responsible and that inspires the highest level of trust among our stakeholders. We act with the highest level of accountability, we provide fair, accurate and honest disclosure of information, and we treat all individuals in a fair and responsible manner.

### *Inclusiveness*

We embrace diversity. We understand that United Way of Berks County is strong as an organization and central to our community because of the respect, dignity, and value we give to all individuals, and because we aspire to involve people from all segments of our community in every aspect of our work.

### *Teamwork and Communication*

We believe we achieve far more as a team than as individuals. We believe building trust among each other produces the best results. We believe that when we promote and practice effective communication we will build an even stronger team that will make a difference in our community and the people we serve.

### *Volunteerism*

We exist as an organization and have the greatest community impact because of our spirit of volunteerism. We encourage and invite stakeholders to participate in philanthropic activities by their donation of time and money. We consider the development of volunteer leadership a critical component of service to our community.

### *Impact*

We make a positive difference and have measurable impact on challenges facing our local community. As stewards of community resources, we are accountable for our work and sustainable results. Through our collaborative efforts, we make a difference to our community and the people we serve.

### *Community Leadership*

We are the leader in community building activities, effecting positive change. We are a successful convener and collaborator, bringing together and working with the community to accomplish common goals. We provide the leadership to impact each individual's innate desire and capacity to care for one another.

United Way of Berks County is committed to the highest standard of ethical conduct. The unique trust, given to us by the public gives us a special obligation to ensure this ethical conduct.

The following Code Provisions are based on our Vision and Mission and are guided by our core values of Integrity, Inclusiveness, Teamwork and Communication, Volunteerism, Impact, and Community Leadership.

### *Conflict of Interest*

**Core Principle:** As United Way of Berks County staff, volunteers and representatives, we must not engage in activities that create actual, apparent, or potential conflicts of interest.

**Intent:** To avoid the appearance of actual, apparent, or potential conflicts of interest, which could undermine the public's trust in the organization.

#### **Guidelines:**

- Relationships must be disclosed between volunteers (as identified in the Conflict of Interest Policy statement), between volunteers and employees, or between volunteers and employees of any other agency or nonprofit organization. Additionally, relationships between volunteers and employees of any service, professional, or business enterprise, which is a supplier or vendor of goods and services to United Way of Berks County must be disclosed. Disclosure is only required for blood, marriage, or adoption relationships.
- No volunteer or employee of United Way of Berks County or members of their immediate families shall have any undisclosed interest, financial or otherwise, in any nonprofit organization, or any service, professional or business enterprise which is a supplier or vendor providing goods and services to United Way of Berks County.
- All volunteers and employees shall act in the best interest of United Way of Berks County without favor or preference and no volunteer or employee shall seek or accept gifts of other than token value, or personal benefits from any representative of any nonprofit organization, or of any service, professional or business enterprise which is now or has expressed an interest in transacting business with United Way of Berks County.
- Employees of United Way of Berks County are not permitted to actively participate in fund raising activities of other local nonprofit human service organizations without permission from the President.

In addition, they are expected to dedicate their professional energies and skills to their United Way of Berks County jobs. All outside employment shall be disclosed.

- Volunteers and employees shall complete a Conflict of Interest Disclosure Statement and Affirmation of Compliance annually. They also shall disclose any actual or potential conflict of interest as soon as it is known, or reasonably should be known.
- Volunteers with a declared conflict of interest shall disqualify themselves from voting on a motion relative to the area of conflict. In some cases, it may be appropriate to leave the room when the vote is taken. If the conflict of interest is publicly announced, the volunteer usually may participate in any discussions relative to the area of conflict.

### *Personal and Professional Integrity*

**Core Principle:** As United Way of Berks County staff, volunteers and representatives, we must maintain a commitment to the highest standards of personal and professional conduct.

**Intent:** To establish the highest standards of personal and professional conduct to maintain respect and credibility within the community and among our stakeholders.

#### **Guidelines:**

- Maintain the highest standards of job performance.
- Maintain fairness and objectivity in all activities.
- Communicate openly and honestly and avoid any misrepresentation.
- Be respectful and fair to all those with whom you come into contact.
- Promote a work environment which fosters open communication and where all opinions are valued.
- Refrain from using organizational resources for non-United Way of Berks County purposes or for personal gain.
- Ensure travel and related expenses are incurred and reimbursed on a basis consistent with United Way of Berks County policies and procedures and are in support of the work of United Way of Berks County.
- Perform your duties in the best interests of United Way of Berks County.

## Accountability

**Core Principle:** As United Way of Berks County staff, volunteers and representatives, we are responsible to uphold the trust given to us by the community and among our stakeholders.

**Intent:** To ensure there is full, fair and accurate disclosure of organizational activities and to perform duties and responsibilities in the best interest of the organization and the community.

### Guidelines:

- Ensure the appropriate use of organizational resources
- Ensure that information provided is accurate and truthful.
- Ensure that adequate internal controls and procedures are used in the accounting and reporting of organizational activities and resources.
- Ensure compliance with applicable laws and regulations. .
- Monitor the organization's financial and programmatic performance to insure effectiveness and achievement of purpose and mission.
- Ensure appropriate management policies and procedures are in place.
- Be good stewards and be accountable for your work and the results of your work.
- Demonstrate excellence and commitment to continual self-improvement.
- Ensure transparency and be accessible and responsive to stakeholders and the public at large.

## Privacy/Confidentiality

**Core Principle:** As United Way of Berks County staff, volunteers and representatives, we must consider and protect the privacy of our stakeholders in the acquisition and dissemination of information.

**Intent:** To maintain the privacy and confidentiality of individual information in the performance of our duties and responsibilities.

### Guidelines:

- Respect the privacy and confidentiality of individual information at all times in the performance of your duties and responsibilities.
- Utilize individual information strictly in the performance of your duties and responsibilities.

- Do not discuss, access or display confidential information in the presence of unauthorized individuals.
- Ensure that all confidential information is handled, stored and disposed of as required by United Way of Berks County policy.
- Do not disclose confidential information to anyone who does not have a need to know, unless prior written consent has been obtained or is required by law.
- Do not use intrusive methods to gather private information.
- Sign a Confidentiality Agreement if requested to do so.

## Voluntary Giving

**Core Principle:** As United Way of Berks County staff, volunteers, and representatives, we understand and agree that the most responsive contributors are those that are educated, informed and involved in the organization's activities.

**Intent:** To uphold the highest standards in soliciting gifts and to avoid any semblance of pressure or coercion to give, whether real, implied or perceived.

### Guidelines:

- Formally state the position that we/you are unalterably opposed to any type of coercion.
- Use peer solicitation at the workplace, not managers, to solicit employees.
- Ensure solicitation and promotional materials are truthful and accurate and that all "promises" made are honored.
- Be responsive to donors and promptly honor their request for information about the organization and the use of contributions.
- Identify to donors or prospective donors whether you are a volunteer or an employee.
- Honor donor requests to remain anonymous and/or to curtail repeated mailings or solicitations.
- Be respectful of the needs and interests of the donor or prospective donor.
- Know and follow the organization's Solicitation and Gift Acceptance Policies.

### *Diversity and Equal Opportunity*

**Core Principle:** As United Way of Berks County staff, volunteers, and representatives, we are responsible for promoting and fostering diversity and equal opportunity in all our endeavors.

**Intent:** To create and sustain an environment that encourages all individuals to reach their fullest potential in a positive and productive manner.

#### **Guidelines:**

- Value, champion and embrace diversity and inclusiveness in all aspects of United Way of Berks County activities.
- Respect others without regard to race, color, religious belief, age, sex, national origin or ancestry, marital status, veteran status, sexual orientation, disability, or other characteristic, including those protected by law.
- Treat people with dignity, respect and compassion.
- Foster a trusting work environment free of harassment, intimidation, and unlawful discrimination.

### *Political Contributions/Activity*

**Core Principle:** As United Way of Berks County staff, volunteers, and representatives, we encourage and embrace individual participation in civic affairs. However, United Way of Berks County, as a charitable organization, may not make contributions to any candidate for public office or political committee and may not intervene in any political campaign on behalf of or in opposition to any candidate for public office. In addition, lobbying and advocacy activities will be nonpartisan and may not be more than an “insubstantial” part of our overall activity.

**Intent:** To ensure that individual participation in political activities, although encouraged, does not create the appearance that such activity is by, or on behalf of, the organization; and to ensure that no substantial part of the organization’s activities is directed toward attempting to influence legislation.

#### **Guidelines:**

- Refrain from making any contributions to any candidate for public office or political committee on behalf of United Way of Berks County.
- Refrain from making any contributions to candidates for public office or political committee in a manner that may create the appearance that the contribution is on behalf of United Way of Berks County.
- Refrain from using organizational financial resources, facilities, or personnel to endorse or oppose a candidate for public office or political committee or to influence legislation.
- Refrain from using your organizational authority to coerce or attempt to command or advise an employee to contribute anything of value for political purposes.
- Refrain from engaging in political activities in a manner that may create the appearance that such activity is by or on behalf of United Way of Berks County.
- Clearly communicate you are not acting on behalf of the organization, while engaging in political activities as an individual.

### *Responsibility to Report Known or Suspected Violations*

It is the responsibility of all staff, volunteers and representatives to comply with the Code of Ethics and Conduct and to report violations or suspected violations in accordance with this Whistleblower Policy. This Whistleblower Policy is intended to encourage and enable staff, volunteers and representatives to raise serious concerns within the Organization.

### *No Retaliation Statement*

No staff member, volunteer or representative who in good faith reports a violation of the Code of Ethics and Conduct shall suffer harassment, retaliation or adverse employment and/or service consequence. Anyone who retaliates against someone who has reported a violation in good faith is subject to discipline action up to and including termination of employment or service.

### *How to Report Violations*

The Code of Ethics and Conduct and Whistleblower Policy addresses United Way of Berks County's open door policy and suggests that staff, volunteers and representatives share their questions, concerns, suggestions or complaints with someone who can address them. You are encouraged to speak first with your supervisor or a Senior Vice-President with whom you are comfortable. Supervisors and Senior Vice-Presidents are required to report suspected ethics violations to the organization's Ethics Officer, who has specific responsibilities related to the investigation and resolution of reported violations. For suspected fraud, or when you are not satisfied or comfortable with United Way of Berks County's open door policy, individuals should contact the organization's Ethics Officer, the Chairman of the Board of Directors, the Chairman of the Governance Committee or the President. Their contact information is listed on page 14. In addition to a written anonymous communication you also may submit an anonymous electronic communication, which is directed to the Ethics Officer, the President and the Chairman of the Board. To use the electronic option from a computer inside the United Way of Berks County office, go to your web browser and enter the following address: <https://uwbc-sbs/ethics>. The first screen will prompt you for a user ID and a password. The user ID is **UWBC** and the password is **ethicshotline**. Type your comments in the space provided on the next screen that appears and click submit. If you use a computer outside the United Way of Berks County office, use the following address: <https://uwbc.cyber-center.com/ethics>. The user ID and password are the same as those listed above.

### *What Happens After a Violation is Reported*

The Organization's Ethics Officer is responsible for notifying the President of all reported violations. The President and the Ethics Officer are responsible for investigating and resolving all complaints and allegations of violations of the Code of Ethics and Conduct and Whistleblower Policy. The President is required to report all complaints and allegations to the Governance Committee, which will help determine if the matter should be referred to the Audit Committee, be dealt with by the Governance Committee or be handled by the President and the Ethics Officer.

If the President is named in the report, the Chairman of the Board of Directors will perform all the duties the President would otherwise have performed in a review and investigation.

If the complaint was not made anonymously, the Ethics Officer will acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action taken as determined by the investigation and as stated in a written report.

### *Accounting and Auditing Matters*

The Governance Committee has determined that the Audit Committee of the Board of Directors shall address all complaints and allegations regarding accounting and financial impropriety and misuse of the organization's resources. The President is responsible for immediately notifying the Governance Committee of any such complaint and shall work with the Audit Committee to resolve the matter.

If the President is named in the complaint/allegation the Chairman of the Board of Directors will perform all the duties the President would have performed in a review and investigation.

### *Acting in Good Faith*

Anyone filing a complaint concerning a violation or suspected violation of the Code of Ethics and Conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that are proven to be unsubstantiated and/or were proven to have been made maliciously or were knowingly false will be viewed as a serious offense requiring disciplinary action up to and including termination of employment or service.

### **Confidentiality**

Violations or suspected violations may be submitted on a confidential basis or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **“Appeal” Review**

Depending on the circumstances and at the discretion of the Governance Committee, persons implicated in a report and investigation of unethical behavior may be given the opportunity to meet with the Executive Committee for further review and discussion. The involved party(ies) must submit a written request for review of the matter by the Executive Committee to the Ethics Officer and to the President. Upon completion of the “appeal” review, the person(s) will receive an explanation of the conclusions reached and the reasons for those conclusions. Decisions resulting from “appeal” reviews by the Executive Committee will be final.

### **Persons to Contact**

#### **Ethics Officer**

Ms. Monica Ruano-Wenrich, United Way of Berks County  
501 Washington Street, P.O. Box 702  
Reading, PA 19603  
610-685-4572  
monicar@uwberks.org

#### **Chairman of the Board of Directors**

Mr. Gerald A. Nau, Fulton Bank  
2427 Century Boulevard  
Wyomissing, PA 19610  
610-898-8304  
gnau@fultonbank.com

#### **Chairman of the Governance Committee**

Mr. Bruce G. Smith, National Penn  
1100 Berkshire Boulevard  
Wyomissing, PA 19610  
610-208-4961  
bgsmith@natpennbank.com

#### **President**

Ms. Tammy White, United Way of Berks County  
501 Washington Street, P.O. Box 702  
Reading, PA 19603  
610-685-4562  
tammyw@uwberks.org

**Candidate for Public Office** - an individual who offers herself/himself or is proposed by others as a contestant for an elected public office, whether such office is federal, state, or local.

**Confidential Information** - information entrusted to another person, with an understanding of privacy.

**Coercion** - the threat of the intention of forcing someone to do something.

**Nonpublic Information** - any business, financial or personal information that is not publicly known or available.

**Political Committee** - any party, committee, association, fund, or other organization organized and operated primarily for accepting contributions to influence the selection, nomination or election of any individual to any federal, state or local office.

**Political Contributions** - anything of value, including monetary and in-kind gifts, provided for the purpose of influencing the outcome of an election.

**Privileged Information** - information protected from involuntary disclosure by legally recognized privileges such as attorney-client, et al.

**Promotional Items of Nominal Value** - gifts used to promote an entity's name, product, or services with a retail value of \$25 or less.

**Representatives** - individuals who provide personal services to United Way of Berks County as independent contractors, consultants, or loaned campaign specialists.

**Staff** - individuals who provide services to United Way of Berks County as employees.

**Stakeholders** - an individual or entity that shares a vested interest in the vision/mission of United Way of Berks County.

**Transparency** - implies openness, communication and accountability.

**Vendors** - entities that provide goods and services to United Way of Berks County for a fee.

**Volunteers** - all members of the United Way of Berks County Board of Directors, all committees appointed by the Board of Directors, and others working on behalf of the organization that performs their duties without compensation.

**Whistle Blower** – someone who exposes wrongdoing inside an organization.

## Examples

These examples are provided only to illustrate how Provisions of the Code of Ethics may be applied. The outcome of any particular situation depends on the facts as presented.

### *Conflict of Interest*

**Situation:** You are a United Way of Berks County employee. The firm your father owns is interested in bidding on a contract to supply services to United Way of Berks County.

**Solution:** Notify your supervisor or Code of Ethics Compliance Official. Avoid even the appearance of a conflict of interest or favoritism, especially in situations that could appear to personally benefit you or your family. As long as you remove yourself from the decision making process, and do not have influence in awarding the contract, your father will likely be permitted to submit a bid.

**Situation:** You are a United Way of Berks County employee, volunteer or representative. While at a conference you bump into a representative from a hotel who learns you are planning a local training event for United Way of Berks County. He/she invites you to dinner and then offers you tickets to attend the theater.

**Solution:** This could be considered a conflict of interest. You should decline any gift or entertainment that exceeds a nominal value.

**Situation:** Your niece is graduating at the top of her class from college this spring. You think she would be a great asset to your department at United Way of Berks County. You sit in on the interview process and insist that she is hired.

**Solution:** Favoritism based on family or close personal relationships are unfair to other employees. The appearance of such favoritism is easily perceived, even when such situations are harmless. To avoid such an appearance, United Way of Berks County employees may not supervise or exercise management authority, directly or indirectly, over staff with whom they have a relationship that may adversely affect impartiality. While it may seem like a mutually beneficial situation to bring your niece into your department, this may create an awkward or unfair situation for co-workers or other potential employees.

## Examples

### *Confidentiality*

**Situation:** You are a United Way of Berks County employee, volunteer or representative. A reporter from a local newspaper calls and asks you for your comments concerning United Way of Berks County's new fund-raising strategy towards its largest donors.

**Solution:** Although you will want to be helpful, it is important that you do not give out potentially proprietary or confidential information. For your protection and that of the organization, it is necessary that you refer the call to the United Way of Berks County Marketing and Communications Director or to the President.

### *Political Contributions*

**Situation:** You serve on the Board of Directors of United Way of Berks County and would like to make a political contribution to your Congressman. Is this something I can do under United Way of Berks County's political contribution policy?

**Solution:** As a charitable organization United Way of Berks County cannot legally make political contributions. While there are no such legal restrictions on staff, volunteers, or representatives, when making contributions as an individual you should refrain from actions or representations that may imply or create the appearance that the contribution is made on behalf of United Way of Berks County. For example, you should not use United Way of Berks County stationery, its name or logo when making political contributions.

### *Solicitation*

**Situation:** You are a United Way of Berks County employee. You are asked to raise dollars for the Easter Seal Society, one of United Way of Berks County's partner agencies.

**Solution:** In order to eliminate any suggestion of conflict of interest, employees are not permitted to solicit funds for local non-profit organizations, including our partner agencies. Staff may provide technical assistance to affiliated agencies, but only as part of their United Way job responsibilities. Serving as a volunteer for a partner or other local non-profit in any other capacity must be disclosed to and discussed with the President.

## Code of Ethics Certification

I acknowledge that I have received and read my personal copy of the United Way of Berks County Code of Ethics and Conduct and Whistleblower Policy. I understand that each United Way of Berks County employee, volunteer, and representative is responsible for adhering to the principles and standards of the Code. I confirm that I have and will continue to conduct myself in accordance with the principles and standards of the Code.

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Please detach and return this form to:**

United Way of Berks County  
Ethics Officer  
P.O. Box 702  
Reading, PA 19603-0702



United Way of Berks County  
501 Washington Street  
P.O. Box 702  
Reading, PA 19603-0702  
610-371-4550  
[www.uwberks.org](http://www.uwberks.org)