



Code of Ethical Conduct

Bergen's Promise has established a Corporate Compliance Program to ensure that it operates in full compliance with applicable laws and provides all employees with guidance in decision making when ethical issues arise. An important component of the Program is the Code of Ethical Conduct (referred to as the "Code"), which sets out basic principles that Bergen's Promise and its trustees, shareholders, officers, and employees (referred to as "Personnel") must follow. Non-personnel representatives of Bergen's Promise, such as external advisors, consultants, and providers, should also be directed to conduct themselves in a manner consistent with this Code when they are acting on behalf of Bergen's Promise. If you have any questions about the Code or its applicability to a particular situation, please contact the Corporate Compliance Officer or his/her designated alternate.

The Corporate Compliance Program and the Code of Ethical Conduct are not intended to and shall not be deemed or construed to provide any rights, contractual or otherwise, to any Personnel or to any third parties. In addition to the Corporate Compliance Program and Code of Ethical Conduct, Personnel shall be directed in their behavior by all applicable laws, regulations¹, Agency policies and procedures, and rules of professional conduct. Bergen's Promise's Code is not intended to replace or conflict with the Agency's established Policies and Procedures; rather it is intended to provide framework for and support policies and procedures relative to employee behavior in accordance with those policies and procedures.

The Code of Ethical Conduct will be distributed to all Personnel and sets forth general standards applicable to all business operations. In addition, there are a number of more detailed and specific policies covering particular subject matters. Bergen's Promise will communicate those specific policies to Personnel.

If an employee is uncertain about the legality or ethics of any work-related action, the employee is required to report their concern to the employee's direct Supervisor, the Corporate Compliance Officer and/or Senior Management.

STANDARDS OF BUSINESS CONDUCT

1. One of Bergen's Promise's most valuable assets is its reputation for integrity and honesty. Bergen's Promise is committed to operating its business in full compliance with all applicable laws and regulations. In addition, Bergen's Promise conducts its business in conformance with high ethical standards. Achieving business outcomes by

¹ Including Sec. 6032 of the Federal Deficit Reduction Act attached hereto as Compliance Policy 35 Appendix A.

illegal acts or unethical conduct is not acceptable.

All Bergen's Promise Personnel shall act in compliance with the requirements of applicable law and this Code while engaged in service delivery and the performance of business operations. Each employee is required to act ethically and in compliance with applicable law and the Code. All Personnel are responsible for acquiring sufficient knowledge to recognize potential compliance issues applicable to their duties and for appropriately seeking advice regarding such issues.

2. Each employee is required to act ethically and in compliance with applicable law and the Code. All Personnel are responsible for acquiring sufficient knowledge to recognize potential compliance issues applicable to their duties and for appropriately seeking advice regarding such issues.

3. Personnel shall not offer or give any bribe, payment, gift, or thing of value to any person or entity with whom Bergen's Promise has or is seeking any business or regulatory relationship except for gifts of a nominal value (for example, promotional items such as pens, chip clips, post-its) which are legal and given in the ordinary course of business.

4. Personnel shall not accept any bribe, payment, gift, item, or thing of more than a nominal value (for example, a picture drawn, or poem/letter composed by a youth, or promotional items such as pens, chip clips, post-its) from any person or entity with which Bergen's Promise has or is seeking any business or regulatory relationship. Personnel must promptly report the offering or receipt of gifts of any type to their Supervisor.

5. Personnel shall be completely honest in all dealings. No misrepresentations shall be made, and no false bills or requests for payment shall be submitted to families or to third party payors. Specifically, no member of the staff may falsify a record, timesheet, progress note, or any other communication that in any way suggests that a family received services that they did not receive. Nor may employees misrepresent the time, place or manner in which services occurred. Said falsifications and misrepresentations constitute fraud and, in addition to termination from employment, the offending employee risks criminal prosecution.

6. Personnel shall not engage in any financial, business, or other activity which competes with Bergen's Promise's business which may interfere or appear to interfere with the performance of their duties or that involve the use of Bergen's Promise's property, facilities, or resources, except to the extent consistent with the conflict of interest policies (Compliance Policies 11 and 13 are incorporated herein by reference).

7. Books and records shall be created, maintained, retained, or destroyed in accordance with Bergen's Promise's records retention policy.

8. All Personnel shall maintain the confidentiality of Bergen's Promise's

information and of information relating to Bergen's Promise's vendors, suppliers, providers and the youth and families served. Said 'information' may also include access codes to Agency information systems such as, but not limited to, email, network servers, databases, and web portals. Those in possession of keys, key cards, or access codes to secure physical locations are bound by the same confidentiality standards. Personnel shall not use any such confidential or proprietary information except as is appropriate for business. Personnel shall not seek to improperly obtain or misuse confidential information.

9. All Personnel shall follow safe work practices and comply with all applicable laws, safety standards and health guidelines. This includes but is not limited to obeying all traffic regulations and laws while performing work-related activities, whether in Agency or personal vehicle.

10. All Personnel are responsible for ensuring that the work environment is free of discrimination or harassment due to race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), breastfeeding, familial status, marital/civil union status, religion, domestic partnership status, affectional or sexual orientation, gender identity and expression, atypical hereditary cellular or blood trait, genetic information, liability or military service, and mental or physical disability (including perceived disability, and AIDS and HIV status, hair type, texture and protected styles, or any other category protected by applicable law. Any form of sexual harassment, including the creation of a hostile working environment, is completely prohibited.

11. Any director, officer, or employee who believes or becomes aware of any violation of this Code or any illegal activity by a director, officer, or any other person acting on Bergen's Promise's behalf shall promptly report the violation or illegal activity to the Corporate Compliance Officer. To the extent permitted by law, a report may be made anonymously.

12. It is a violation of this Code for Personnel not to report a violation of the Code or any illegal activity. If you have a question about whether particular acts or conduct may be illegal or violate the Code, you should contact the Corporate Compliance Officer or his/her designated alternate. It is a violation of this Code for Personnel to whom a potential illegal act or violation of the Code is reported, to not ensure that the illegal act or violation of the Code comes to the attention of those responsible for investigating such reports.

If the illegal acts or conduct in violation of the Code involve a person to whom such illegal acts or violations might otherwise be reported, the illegal acts or violation should be reported to another person to whom reporting is appropriate.

13. It is Bergen's Promise's policy to investigate reports of illegal activity or violations of this Code promptly and thoroughly. In an investigative disciplinary interview involving a member of the collective bargaining unit, per the collective bargaining agreement, the employee will be provided a reasonable opportunity to obtain

union representation. Personnel must cooperate with these investigations. Employees must not take any action to prevent, hinder, or delay discovery and full investigation of illegal acts or violations of this Code as these actions constitute a further violation of this Code.

14. Personnel may report illegal acts or a violation of this Code anonymously. To the extent permitted by law, Bergen's Promise will take reasonable precautions to maintain the confidentiality of those individuals who report illegal activity or violations of this Code and of those individuals involved in the alleged improper activity, whether or not it turns out that improper acts occurred. Failure to abide by this confidentiality obligation is a violation of this Code.

15. No reprisals or disciplinary action will be taken or permitted against Personnel for good faith reporting of, or cooperating in the investigation of, illegal acts or violations of this Code. It is a violation of this Code for Personnel to punish or conduct reprisals in regard to Personnel who have made a good faith report of, or cooperated in the investigation of, illegal acts or violations of this Code.

CODE OF CONDUCT WITH YOUTH AND FAMILIES

The following policies are intended to assist staff and volunteers in making decisions about interactions with youth and families. For clarification of any guideline, or to inquire about behaviors not addressed here, contact your Supervisor.

Our organization provides youth and families with the highest quality services available. We are committed to creating an environment for youth and families that is safe, nurturing, empowering, and that promotes growth and success.

No form of abuse will be tolerated, and confirmed abuse will result in immediate dismissal from our organization. All reports of suspicious or inappropriate behavior with youth and families or allegations of abuse will be taken seriously. Our organization will fully cooperate with authorities if allegations of abuse are made that require investigation.

The Code of Conduct with Youth and Families outlines specific expectations of the staff and volunteers as we strive to accomplish our mission together.

1. Youth and families shall always be treated with respect.
2. Youth and families shall be treated fairly, regardless of race, sex, sexual orientation, gender identification, age, or religion.
3. Personnel shall adhere to uniform standards of physical interaction as outlined by our organization.

4. Personnel shall avoid physical interaction with youth and families that cannot be observed by others.

5. Personnel shall adhere to uniform standards of appropriate and inappropriate verbal interactions as outlined by our organization.

6. Personnel shall not stare at or comment on physical appearance or characteristics of youth and their family members unless clinically indicated.

7. Youth and families are not to visit a Personnel member's home under any circumstances.

8. Personnel shall not date or become romantically involved with youth and/or their family members.

9. Personnel shall not use or be under the influence of alcohol, cannabis, or illegal drugs in the presence of youth and families.

10. Personnel shall not have sexually oriented materials, including printed or online pornography, on or in our organization's property or when interacting with youth and families.

11. Personnel shall not have secrets with youth and families.

12. Personnel shall only give gifts to youth and families with prior permission.

13. Personnel will comply with our organization's policies regarding interactions with youth and families outside the context of service delivery.

14. Personnel will not engage in inappropriate electronic communication with youth and families. (See Compliance Policy 28: Social Media and HIPAA Security Policy 12: Acceptable Use.)

15. Personnel are prohibited from working one-on-one with youth and families in a private setting. To the extent that service delivery requires a one-on-one meeting (e.g., transportation, adult youth, DCP&P custody), said visit must be pre-approved by the CFT and Supervisor and documented before and after the visit.

16. Personnel will use common areas when working with individual youth and families.

17. Personnel will not abuse youth and families in anyway including (but not limited to) the following:

a. *Physical abuse*: hitting, spanking, shaking, slapping and restraints.

- b. *Verbal abuse*: degrading, threatening, cursing.
- c. *Sexual abuse*: inappropriate touching, exposing oneself, sexually oriented conversations.
- d. *Mental abuse*: shaming, humiliation, cruelty
- e. *Neglect*: withholding food, water, shelter and adequate supervision, education, and medical care.

18. Bergen’s Promise will not tolerate the mistreatment or abuse by Personnel against any individual with whom they interact, including each other and youth and families. In addition, our organization will not tolerate any behavior that is classified under the definition of bullying (see paragraph 19 below), and to the extent that such actions are disruptive, we will take steps needed to eliminate such behavior, up to and including termination.

19. Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:

- a. *Physical bullying* – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining.
- b. *Verbal bullying* – when someone uses their words to hurt another, such as by belittling or calling another a hurtful name.
- c. *Nonverbal or relational bullying* – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
- d. *Cyberbullying* – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
 - i. Sending mean, vulgar, or threatening messages or images.
 - ii. Posting sensitive, private information about another person.
 - iii. Pretending to be someone else in order to make that person look bad.
 - iv. Intentionally excluding someone from an online group.
 - v. Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or

endangers that person regardless of that person's willingness to participate.

- vi. Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.
- e. Anyone who sees an act of bullying, and/or who encourages it, is engaging in bullying. This policy applies to all youth and families, staff, and volunteers.

20. Personnel must follow state specific mandatory reporting requirements. Staff will be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Staff will:

- a. Be familiar with the symptoms of child abuse and neglect, including physical, sexual, verbal, and emotional abuse.
- b. Know and follow organization policies and procedures that protect youth and families against abuse.
- c. Report suspected child abuse or neglect to the appropriate authorities as required by state mandated reporter laws (see also, Compliance Policy 29: Reporting Child Abuse and Neglect).
- d. Follow up to ensure that appropriate action has been taken.
- e. Personnel will report concerns or complaints about other Personnel, adults, or youth and families to their Supervisor.

21. Our organization cooperates fully with the authorities to investigate all cases of alleged abuse. Any Personnel shall cooperate to the fullest extent possible in any external investigation by outside authorities or internal investigation conducted by the organization or persons given investigative authority by the organization. Failure to cooperate fully may be grounds for termination.

22. Personnel may not have engaged in or been credibly accused or convicted of abuse, indecency, or assault.