

Job Path Compliance Plan and Code of Conduct

Mission Statement

Job Path supports people with developmental disabilities in their efforts to make choices about their lives.

Job Path encourages people to explore what they want out of life, and to chart their own journeys. Then we provide the opportunities and support for them to succeed at whatever they want – whether it’s paid or volunteer work, living in their own homes, or participating in community life. Job Path is a reflective organization where staff carefully listens to people and thoughtfully considers the implications of their decisions.

We believe that:

- everyone has gifts and capabilities
- everyone can play a role in the community
- everyone can make a contribution
- everyone has the right to be respected
- everyone should have the opportunity to fulfill their dreams
- everyone has a voice that needs to be heard
- everyone has the right to make decisions about his or her own life.

Purpose of Our Code of Conduct and Corporate Compliance Plan

Job Path sets high standards. We are reflective about how we support participants in our programs and, at the same time, how the larger world views people with disabilities. We check in with the people we support regularly, and with one another to make sure we are “doing the right thing.” We hold ourselves accountable to the people we support, their families, and our funders.

The Purpose of our Code of Conduct is to establish clear guidelines to help us carry out our work within appropriate ethical and legal standards, and to ensure that we meet our own standards aimed at providing participants and families with respect, choice and opportunities. The Code of Conduct covers our relationships with consumers and their families, third-party payers, vendors, other health care providers, consultants, schools, employees, and fellow employees. It establishes guidelines for billing practices, workplace conduct, confidentiality, employment practices, financial reporting, conflict of interest, record retention, use of Job Path resources, and a range of other issues. The obligations described are mandatory obligations, and the Code establishes consequences for failure to fulfill these obligations.

The accompanying Corporate Compliance Plan establishes a structure and procedures to monitor Job Path staff’s compliance with these obligations. Our goal is to ensure that we maintain the highest ethical and legal standards, while working toward our common goal of supporting people with developmental disabilities in their efforts to make choices about their lives.

Specifically the Corporate Compliance Plan includes a Medicaid Compliance Plan that mandates oversight over all Medicaid funded programs at Job Path.

Consumer Rights and Care

Statement of Consumer Right

Our mission is to encourage people to explore what they want out of life, and to chart their own journeys. We treat all consumers with respect and dignity and give each the opportunity to make choices about their own lives. In our intake process, we make no distinction based on race, color, sexual orientation, religion, or national origin.

At intake, each consumer will be informed of their right to make choices about their own goals and activities. They will be provided with written statement of their rights to register a complaint with Job Path, or about their treatment. They will be informed of their right to respect and autonomy. They will also be provided with a statement describing in detail their rights under State and Federal law to confidentiality of protected health information.

Medication Policy

Except with respect to individuals who are residing in Job Path IRAs, it is Job Path's policy that staff do not administer, store or dispense medications to participants. If a participant or family member makes such a request, you should refer the request to a supervisor, who will work with the participant, or family member, to make appropriate arrangements. Direct care staff working with participants in one of Job Path's residential programs, may administer medication, if they are trained and certified to do so, and if they are supervised by a nurse.

Client Confidentiality

In the course of our work, we collect information about the consumer's medical condition, history, medications, family illnesses, and social and emotional issues. We realize the sensitive nature of this information and are committed to maintaining its confidentiality. Moreover, we understand our specific obligations under New York State and Federal Law to ensure the confidentiality of certain categories of protected health and personal information and have established policies and procedures to meet these legal obligations in all circumstances. In particular, Job Path is governed by the confidentiality requirements of the New York State Mental Hygiene Law, the privacy regulations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and New York State laws and regulations governing the use and disclosure of HIV related information. The federal HIPAA regulations provide basic requirements for the use and disclosure of consumer's health information for health providers. On top of these requirements, Job Path, as an agency that serves people with developmental disabilities, also must comply with confidentiality requirements established under the Mental Hygiene Law. These significantly further limit the disclosure of clinical information that Job Path staff obtains in the treatment and provision of services to our participants to other agencies or individuals who are not employed directly by Job Path.

Our procedures are outlined in detail in Job Path's Policies and Procedures on Privacy. These procedures govern the use of health information, and other personal information received in the course of providing services to participants, among our own staff. They also govern disclosures to individuals outside Job Path, require us to obtain specific authorization to disclose except in particular situations and require us to track certain disclosures. They restrict the kind of information we can use in fundraising, and in marketing our services. They detail specific requirements for the use and disclosure of HIV-related information. They provide certain rights to our participants to access confidential information, to amend information in their file, and to request changes in the way their confidential information is communicated.

All employees should be familiar with the procedures that apply to all staff. Individuals who have particular responsibilities for case records, marketing, and fundraising also should be familiar with the sections that are specifically applicable to their responsibilities.

Medicaid Compliance

Job Path employees should be vigilant about maintaining the highest ethical and legal standards in every aspect of our work. In particular, Job Path employees are required to maintain the highest integrity with respect to all billing, documentary and quality requirements of Medicaid funded programs. All staff must record services provided and time accurately according to the policy and procedures established by Job Path to ensure accuracy and timeliness. All managers are charged with reviewing documentation to ensure that it is accurate, reflects actual services provided and meets all established billing and quality standards.

Billing Practices

Job Path will take great care to assure that all billing to government payers are truthful and accurate and conform to the requirements of all the governing Federal and State laws and regulations. Job Path will code all service records completely and accurately using the coding required by our payers and will ensure that proper documentation exists to support the services rendered and the amounts billed. All employees, agents or consultants of Job Path are prohibited from knowingly presenting claims for payment or approval which are false, fictitious or otherwise fraudulent. We will maintain current and accurate clinical records, case notes, and progress notes.

Job Path will operate oversight systems to verify that claims are submitted only for services actually provided, and that services are billed as provided. Our Corporate Compliance Committee will ensure that Job Path will perform an internal audit, based on a random selection of files and billings, at least annually.

Job Path will provide orientation and ongoing training for all employees whose activities result in the submission of a claim for payment, to assist us in ensuring that all claims for payment are based on actual services provided, and accurate billing of these services.

Accuracy and Retention of Records

Every Job Path employee is responsible for ensuring the integrity and accuracy of Job Path document and records. No one may alter or falsify information on any record or document.

Job Path will ensure that it meets all State and Federal requirements for retention of client records, and organization reports. The Corporate Compliance Officer will review all government contracts, and the requirements of all government programs, at the commencement of each program, and on an annual basis, to ensure that Job Path is following all requirements for record retention.

The following chart contains the guidelines for retention of various categories of fiscal documents.

Document Retention Policy

Item	Retention Period
Bank Statements & Reconciliations	7 Years
Cancelled Checks - (Important Payments - purchases of property, tax payments, large or significant contracts)	Permanent
Cancelled Checks - (Ordinary)	7 Years
Cash Books	Permanent
Cash Receipts and Disbursements	7 Years
Construction Documents	Permanent
Contracts and Leases (Current)	Permanent
Contracts and Leases (Expired)	7 Years
Corporate - Articles of Incorporation & By Laws	Permanent
Corporate - Certificate of Incorporation and Related Legal or Government Documents	Permanent
Corporate - Minutes of Board & Committee Meetings, etc.	Permanent
Correspondence (General)	3 Years
Correspondence (Legal / Important)	Permanent
Duplicate Bank Deposit Slips	3 Years
Email	5 Years
Employee Assignments and Garnishments	7 Years
Employee Benefit Plan Documents	7 Years
Employee Payroll Records	7 Years
Employee Payroll Reports (Federal, State or City Gov't)	7 Years
Employee Personnel Records (After Termination)	7 Years
Employee Personnel Records (Current)	Permanent
Employee Retirement & Pension Records	Permanent
Employee Timesheets	7 Years
Employee Workman's Compensation Documents	11 years
Employment Applications (Current Employees)	Permanent

Employment Applications (Other)	1 Year
Finance - Accounts Payable Ledgers and Schedules	7 Years
Finance - Accounts Receivable Ledgers and Schedules	7 Years
Finance - Audit Reports of Independent Accountants	Permanent
Finance - Chart of Accounts	Permanent
Finance - Depreciation Schedules	Permanent
Finance - Expense Analyses & Distribution Schedules	7 Years
Finance - Financial Statements (inc. Trial Balances)	Permanent
Finance - Fixed Asset Records & Appraisals	Permanent
Finance - General Ledgers	Permanent
Finance - Subsidiary Ledgers	Permanent
Finance - Tax Return Worksheets	7 Years
Finance - Tax Returns	Permanent
Finance - Uncollectable Accounts & Write-offs	7 Years
Finance - W-2 / W-4 / 1099 Forms, etc.	7 Years
Grant Inquiries	7 Years
Insurance - Accident Reports and Claims (Current Cases)	Permanent
Insurance - Accident Reports and Claims (Settled Cases)	Permanent
Insurance - Policies (Current)	Permanent
Insurance - Policies (Expired)	Permanent
Inventories	7 Years
Invoices from Vendors	7 Years
Invoices to Customers	7 Years
Notes Receivable Ledgers	7 Years
Paid Bills & Vouchers	7 Years
Patents & Related Papers	Permanent
Physical Inventory Tags	7 Years
Property Appraisals	Permanent
Property Documents - Deeds, Mortgages, etc.	Permanent
Stock and Bond Certificates (Cancelled)	7 Years
Stock and Bond Records	Permanent
Vendor Payment Request Forms & Supporting Documents	7 Years
Voucher Registers & Schedules	7 Years

Program files should be retained in accordance with government contracts but for a minimum of seven years.

It is the policy of Job Path to retain all documents relevant to a lawsuit or government investigation as soon as Job Path staff, officers or trustees becomes aware of a reasonable probability of such lawsuit or investigation. Once we have notice of a pending civil lawsuit or government investigation has notice of the proceeding, we have a duty to preserve all materials relevant to that proceeding, in their original form. We also have a duty to retain documents if a lawsuit or investigation is reasonably foreseeable. For example, we have a duty to retain relevant documents if there is some communication

from a potentially adverse party or investigative agency to the effect that a lawsuit could or would be filed

Financial Reporting and Records

Job Path staff and its Board of Trustees are committed to a high standard of accuracy, clarity and completeness in the documentation and reporting of all financial records. The Audit Committee of Job Path's Board of Trustees works closely with senior management to ensure that all financial records accurately reflect transactions and conform to generally accepted accounting principles. We have established a system of internal controls to provide reasonable assurances that all transactions are recorded in a proper manner that maintains the accountability of the organizations' assets.

Executive Evaluation, Compensation and Appointment

The appointment of Job Path's Executive Director is the responsibility of Job Path's Board of Trustees. Compensation for the Executive Director is established annually by Job Path's Board of Trustees in Executive Session.

Workplace Conduct and Employment Practices

Job Path is committed to maintaining a work environment that provides equal employment opportunities and in which employees are treated with respect, dignity and courtesy by supervisors, and by their fellow employees. In pursuit of this goal, Job Path requires all employees to treat each other with respect, and to maintain the highest standard of conduct.

Job Path is also committed to maintaining a work environment in which employees feel comfortable raising ethical and legal questions or concerns, and understand their duty to report any ethical or legal concerns they have. Job Path also encourages and expects employees to raise any concerns they may have about patient care, treatment or the degree of respect provided to participants or their families. Therefore, if an employee raises an ethical, legal or patient care issue, the employee's supervisor has the responsibility to address it. In the event that a supervisor does not know how to respond, she should seek guidance from her own supervisor, from the Deputy Director of Administration and Finance or from the corporate compliance officer.

Equal Employment Opportunity

Employment at Job Path is based solely on qualifications and competence for a particular position, without regard to race, creed, color, ethnic or national origin, age, religion, sex, sexual orientation, marital status or citizenship status. The existence of a disability or of a criminal conviction history is considered only to the extent that it would impede the performance of a function essential to a particular position.

Job Path's policy does not discriminate in all employment practices including, but not limited to, hiring, transfer, promotions, training, compensation, benefits, lay-offs, and

terminations. Job Path takes affirmative action to recruit ex-offenders, members of minority groups, and people with disabilities into its applicant pool. All employees are encouraged to provide suggestions on the subject of equal employment opportunity to the Executive Director.

Non-Discrimination and Anti-Harassment Policy

Job Path is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that is free from discriminatory practices, including harassment. Harassment of any sort – verbal, physical, visual – will not be tolerated.

Definitions of Harassment

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of overt and subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail or the internet); and other physical, verbal or visual conduct of a sexual nature.

Harassment on the Basis of Other Characteristics

Harassment on the basis of other characteristics is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, sex, sexual orientation, transsexualism, pregnancy, age, disability, marital status, creed, citizenship or alienage status, criminal history or any other characteristic protected by law, or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; or (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in

the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail or the internet).

Individuals and Conduct Covered

These policies apply to all applicants to, participants in, and employees of Job Path and prohibit harassment, discrimination and retaliation whether engaged in by employees, by a participant, supervisor or manager or by someone not directly connected to Job Path (e.g., an outside vendor, consultant, customer, government partner, or participant in activities involving Job Path). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Retaliation is Prohibited

Job Path prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Reporting an Incident of Harassment, Discrimination or Retaliation

Job Path strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they may have experienced conduct that they believe is contrary to Job Path's policy or who have concerns about such matters should file their complaints with their immediate supervisor. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of a Deputy Director for Programs or Executive Director. In the case of a complaint involving an officer of the corporation, the matter will be referred to the Board of Trustees. Individuals can also bring a concern about harassment to the attention of the Corporate Compliance Officer.

Since, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment., Job Path strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Investigation of Allegations

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The Deputy Director for Administration and Finance and/or his designee has responsibility for conducting the investigation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Should the investigation confirm the reported allegations of harassment, discrimination or retaliation, such misconduct will be dealt with promptly and appropriately. When the harassment is perpetrated by an applicant to, participant in, or employee of Job Path, responsive action may include such steps as training, referral to counseling, and/or disciplinary action up to and including dismissal as Job Path believes appropriate under the circumstances. When the harassment is perpetrated by someone not directly connected to Job Path (e.g., an outside vendor, consultant, customer, government partner, or participant in activities involving Job Path), responsive action may include such steps as reporting the conduct to the appropriate supervisor or, if necessary, removing the victim from the site of the harassment.

If an employee making a complaint does not agree with its resolution, the employee may appeal to the Executive Director.

These policies should not, and may not, be used as a basis for excluding or separating other individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the Job Path prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment.

Alcoholic Beverages and Illegal Substances

Job Path is committed to maintaining a work environment that is free from the use of alcohol and illegal substances (drugs). Alcoholic beverages and illegal substances (drugs) are not permitted on any Job Path work site (although the Executive Director may allow alcoholic beverages at office parties). Employees in possession of such items will be subject to Disciplinary action and/or termination.

All employees must report for work free of the influence of alcohol and illegal drugs. Reporting to work under the influence of any illegal drug or alcohol, having an illegal drug in your system, or using or possessing alcohol or illegal substances while on Job Path property or during working hours may result in disciplinary action which could include termination. An employee may be asked to provide a urine sample for testing, if a supervisor has reasonable grounds to believe that the employee has used an illegal substance. The Executive Director shall determine whether reasonable grounds exist. Refusal to provide such a sample, or a test result showing that the employee has drugs, shall be grounds for one or more of the following actions by Job Path:

1. a requirement that the employee be evaluated for possible treatment by a professional acceptable to the Executive Director, or the Employee Assistance Plan;

2. a requirement that the employee take an unpaid leave of absence while receiving treatment, and submit to periodic testing after treatment.
3. disciplinary action; and/or
4. termination

Maintaining a Safe and Healthy Environment

Workplace Violence Policy

Job Path is committed to providing a safe workplace. Our policies are designed to minimize the risk of personal injury to employees and damage to agency property.

Threats, threatening language or any other acts of threatened aggression, aggression or violence made by any employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, attempts at intimidating or instilling fear in others, menacing gestures, flashing weapons, stalking or any other hostile, aggressive, injurious or destructive actions.

Employees have an obligation to report all potentially dangerous situations including threats by co-workers immediately to their supervisors, to the Deputy Director of Programs, or the Executive Director. You have an obligation to report any such situation even if you are not directly involved in the situation, but have observed or heard about such a situation. We will promptly investigate all reports of threats or aggressive acts. Employees who report a threat or any other potentially dangerous situation will not be subject to retaliation, intimidation or disciplinary action. If our investigation confirms that a threat of violence, or violence itself has occurred, we will take swift and appropriate disciplinary action.

Health and Safety Requirements

Job Path's offices should comply with all government regulations and rules pertaining to the protection of workplace health and safety. It is important for you to advise your supervisor or the Deputy Director for Administration and Finance of any workplace injury or any situation that you believe may present a danger of injury so that we may investigate and correct the situation if necessary.

As part of our commitment to maintaining a safe and healthy environment, no smoking is permitted anywhere on the Job Path premises, including stairways, and fire escape. Employees have an obligation to report any violation of this policy.

Conflict of Interest Policy and Relationship with Outside Individuals and Entities

Conflict of Interest Policy

A conflict of interest may occur if outside activities or personal interests influence or appear to influence your ability to make objective decisions in the course of your job

responsibilities. All directors, officers, administrators and employees must disclose any existing or new relationships that may give the appearance of a conflict of interest. Employees and administrators should disclose such issues to their supervisor, or the Corporate Compliance Officer. The Corporate Compliance Officer will refer the issue to the Corporate Compliance Committee which will determine if there is a conflict of interest, and to make appropriate recommendation to respond to any actual or potential conflict of interest. The Corporate Compliance Committee will forward its recommendations to the Board of Directors for action. Directors and officers should follow the Board of Directors policy below, and the Board should report its response to the Corporate Compliance Committee.

Although it is impossible to list every circumstance that gives rise to a potential conflict of interest, the following list will serve as a guide to the types of activities that could cause conflicts and should be fully reported to the Corporate Compliance Officer or Committee: holding a position with a supplier of goods and services to the agency; to hold a direct or indirect material financial interest in any outside concern from which the agency secures goods or services; to compete directly or indirectly with the agency in the purchase or sale of property or property rights, interests or other services; to solicit or accept for personal uses cash, gifts, entertainment or services from vendors, contractors, visitors, clients or families of clients (This does not include acceptance of items of nominal or minor value that are clearly tokens of respect or affection and not related to any particular transaction or activity of the agency; to disclose or use information relating to the agency for personal financial profit or financial advantage to one's immediate family.

Job Path will avoid financial relationships between the agency and its employees or immediate family members of employees. Even under circumstances where such activities are permitted by law, financial relationships between the agency and its employees will be avoided unless there is a unique benefit to Job Path unavailable from other sources, or the transaction is to the benefit of a participant, there is good cause, the participant has chosen to make the transaction with an understanding that an employee or employee's family member is involved in the transaction, and the costs to the participant or Job Path are the same or more favorable than those in the marketplace.

Relationships with People with Whom Job Path Does Business

All relationships with people and organizations with which Job Path does business, should be carried on in a manner that ensures that transactions are ethical, untainted, and guided by sound business principles. It should be clear that Job Path gives its business and referrals to the best qualified candidate. It should be equally clear that Job Path gets business, such as a government contract for work, because Job Path is the best qualified candidate for the business.

The guiding principle is that Job Path employees must not give or receive something of value if doing so casts doubt on subsequent transactions.

A Job Path employee should never accept lunch or any gift from a vendor or potential vendor. If any employee does so, and Job Path then buys something from that vendor, it might appear that Job Path made its purchase there instead of from another vendor, in return for the lunch or gift.

Job Path employees should also never accept anything of value from an employee of an agency for whom Job Path might generate income—for example, a service provider to which Job Path might send clients. To accept something might create the appearance that Job Path made its referrals in return for the gift, rather than because Job Path thought that was the best place to send the person.

On the other hand, Job Path employees may attend special events hosted by vendors or potential employers of Job Path participants that may include a lunch or dinner and distribution of small gift items.

Accepting lunch from a government employee is usually not acceptable either, but for a different reason. We do not make purchases from the government, nor do we choose among government agencies competing for our business or competing for reimbursement from third parties, as some service providers do. However, we do negotiate the terms of grants or contracts. We also discuss our performance and our claims for payment during the contract period. Job Path employees could conceivably guard Job Path's interest less zealously—or appear to guard them less zealously—if the employees had accepted something of value from a government employee.

Employees may accept lunch or other things of value from a foundation staff member, a potential or current employer, or from an individual unconnected to a vendor, or potential vendor, government agency, or to an agency for which our referrals could provide income.

On occasion, a Job Path employee may receive a gift from a program participant or family member. Only token gifts such as flowers or candy with a value of \$20.00 or less may be accepted. An employee should not accept more expensive items like jewelry, watches, or apparel.

A staff member may offer to pay for lunch for an employer or vendor or prospective vendor, or a foundation staff member, or an individual donating services, time or money, or a colleague at another organization or agency. In contrast, employees should not offer anything of value to a government employee, even if they pay for it themselves. In their discretion, Job Path employees may contribute to good-bye gifts for retiring government employees with whom they have worked.

Relationship with Vendors, Suppliers and Consultants

Our selection of suppliers and vendors will be made on the basis of objective criteria including quality technical excellence, price, delivery, adherence to schedules, service and maintenance of adequate sources of supply. Our purchasing decisions will be made

on the supplier's ability to meet our needs, and not on personal relationships and friendships. As much as possible, we will get two or more quotes from suppliers. Our selection of consultants will be based on their ability to meet our needs, and not on personal relationships and friendships.

Relationship with Other Providers

Referrals to other providers, including medical clinics, counseling services, or case management services will be on the basis of the appropriateness of that service for participants.

Board of Directors/Key Employees Conflict of Interest Policy

Job Path has established specific guidelines and procedures to assist its Board of Trustees and key employees in managing conflicts of interest that arise. A key employee is defined, for this policy only, as Executive Director, Chief Operating Officer, Director of Finance, Deputy Director of Program Services and Project Directors.

A conflict of interest exists when a board member or key employee may be influenced in an organizational decision by personal, financial, business or other concerns unrelated to Job Path's interest. For example, such a conflict can arise if a trustee or key employee or his or her family or organization does business with Job Path, Inc. Conflicts can also arise for consumers of Job Path's services or family members of consumers, who may find they or a family member has a personal stake in a decision that will be made by the Board.

Job Path's Board values and seeks to expand membership on the Board of consumers and family members and welcomes the unique viewpoints and insights formed as part of the experience of consumers of services for individuals with developmental disabilities. These conflicts guidelines are in place to ensure that each member of the Board acts out of an understanding that he or she owes a duty of loyalty to the Board beyond that of the interests of any group, organization or constituency to which they belong, or business for which they work.

Trustees and key employees should follow the following policy and guidelines in managing any potential conflict of interest that arises during their tenure on the Board.

1. Conflict of Interest Defined: For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:

A Outside Interests

- (i) A Contract or Transaction between Job Path and a Board Member or Family Member or a Key Employee or Family Member.
- (ii) A Contract or Transaction between Job Path and an entity in which a Board member or Family Member or Key Employee or Family Members has a Material Financial Interest or of which such person is a

director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative.

B. Outside Activities

- (i) An officer or Board member or key employee competing with Job Path in the rendering of services or in any other Contract or Transaction with a third party.
- (ii) An officer or Board member or key employee having a Material Financial Interest in; or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative of, or consultant to; an entity or individual that competes with Job Path in the provision of services or in any other Contract or Transaction with a third party.

C. Gifts, Gratuities and Entertainment.

An officer or Board member or key employee accepting gifts, entertainment or other favors from any individual or entity that:

- (i) does or is seeking to do business with, or is a competitor of Job Path; or
- (iii) has received, is receiving or is seeking to receive a loan or grant, or to secure other financial commitments from Job Path; under circumstances where it might be inferred that such action was intended to influence or possibly would influence the officer or Board member or key employee in the performance of his or her duties. This does not preclude the acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value which are not related to any particular transaction or activity of Job Path.

2. Definitions

- A. A "Conflict of Interest" is any circumstance described in Part 1 of this Policy.
- B. A "Family Member" is a spouse, domestic partner, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister, of an officer or member of the Board of Trustees or key employee..
- C. A "Material Financial Interest" in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect an officer or Board member's or key employee's judgment with respect to transactions to which the entity is a party. This includes all forms of compensation.

- D. A "Contract or Transaction" is any agreement or relationship involving the sale, purchase or receipt of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by Job Path. The making of a gift to Job Path is not a Contract or Transaction.

3. Procedures for Board Members

- A. Prior to board or committee action on a Contract or Transaction involving a Conflict of Interest, a director or committee member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be reflected in the minutes of the meeting.
- B. A director or committee member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the chair of the meeting all facts material to the Conflict of Interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.
- C. A person who has a Conflict of Interest shall not participate in the board's or committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.
- D. 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 the presence of 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 when the vote is taken, unless the vote is by secret ballot.] Such person's ineligibility to vote shall be reflected in the minutes of the meeting.

In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Chair or the Chair's designee, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

4. Procedures for Key Employees

A person who has a Conflict of Interest with respect to a Contract or Transaction that the Board or another Key Employee is planning to act on shall disclose to the Executive Director and the Chair of the Board their interest in the Contract or Transaction.

5. Acknowledgment of Policy and Annual Disclosure

- A. Each new Board Member Person shall be required to review a copy of this policy and to acknowledge in writing that he or she has done so.
- B. Each Board Member shall annually complete a disclosure form identifying any relationships, positions or circumstances in which the Responsible Person is involved that he or she believes could contribute to a Conflict of Interest arising. Such relationships, positions or circumstances might include service as a director of or consultant to a nonprofit organization, or ownership of a business that might provide goods or services to Job Path. Any such information regarding business interests of a Board member or a Family Member shall be treated as confidential and shall generally be made available only to the Chair, the Executive Director, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.
- C. This policy shall be reviewed annually by each member of the Board of Directors. Any changes to the policy shall be communicated immediately to all Board Members.

Personal Use of Job Path Resources

Job Path employees have the responsibility to use all organization resources and assets in a manner that is consistent with achieving the agency's business, and in a cost-effective manner that will not result in waste. These assets and resources include, but are not limited to : computers, printers and other information technology; copiers; telephones and voice mail; e-mail and Internet access; and office supplies. As a general rule, the personal use of any asset or resource for personal business and errands is prohibited. The use of the copying and faxing equipment for personal use is discouraged. However, if an employee makes personal use of this equipment, the employee will be billed accordingly. Personal telephone calls should be kept to a minimum, and employees will be billed for long distance telephone calls. Job Path will monitor the use of such resources by its employees to ensure that employees follow these guidelines. Employees who use Job

Path communication systems excessively for non-business purposes may be subject to disciplinary action, up to an including termination of employment.

Any community or charitable use of organization resources must be approved in advance by the Executive Director in consultation with the Corporate Compliance Committee.

Appropriate Use of Job Path E-Mail System

Employees are encouraged to make use of the extensive resources available on the Internet, to the extent that they are useful in accomplishing their work for Job Path. Certain restrictions are necessary to comply with applicable laws and to protect Job Path's reputation and its relationship with government.

All personal use of the Internet must take place during personal time, not Job Path time. You may not use the work time of your Job Path colleagues to assist you in your personal use of the internet.

No employee may use the e-mail system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Whether e-mails are personal or work-related, employees must refrain from communications that would harm Job Path's reputation and its relationships with government, participants in its projects, and those who fund our work.

Job Path is prohibited by law from engaging in political campaign activity and is restricted in its lobbying activities. Employees must therefore disassociate their opinions about politics or legislation when sending e-mail. To disassociate your political opinions from your Job Path address, include within your communication a disclaimer: "The opinion expressed in this communication belong to the writer, not Job Path"

Employees should be aware that job Path may be obligated to access its e-mail and computer system without notice to users of the system. Such access may be compelled by a need to prevent or investigate allegations of system abuse or misuse, to comply with legal and regulatory request for information, or to ensure that Job Path's operations continue appropriately during an employee's absence.

Political Activities

Job Path's political participation as an organization is limited by law. Job Path funds or resources are not to be used to contribute to political campaigns or for gifts or payments to any political party or any of their affiliated organizations. Organization resources include financial and non-financial donations such as using work time and telephone to solicit for a political cause or candidate or the use of Job Path space for use in any political campaign. Job Path is also limited by law with respect to lobbying activities. Therefore, it is important for all employees to separate personal and corporate political activities in order to comply with the appropriate rules and regulations relating to

lobbying or attempting to influence government officials. You may, of course, participate in the political process on your own time and at your own expense. In doing so, however, it is important not to give any appearance that you are speaking on behalf of or representing Job Path in these activities.

It is part of the responsibility of some senior management staff members to work on a regular basis with government officials. If you are making these communications, on behalf of the organization, you should be familiar with our regulatory requirements concerning and defining lobbying activities. If you are not familiar with these requirements, you should consult with Job Path's Executive Director.

Reporting Violations of Law or this Code and Whistle Blower Policy

Job Path's Code of Conduct requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all directors, officers and employees to comply with the Code and to report violations or suspected violations of the Code or violations of federal, state or city laws or regulations in accordance with this Whistleblower Policy.

Job Path is committed to ensuring that it complies with all applicable laws and regulations that govern the services it provides. These laws and regulations include among other areas, Medicare and Medicaid regulations, OMRDD oversight regulations, facilities, record retention and whistle blowing requirements, privacy requirements, staffing requirements, and quality assurance. Senior managers must make sure that they are familiar with the regulations and requirements that govern the programs they administer, and ensure through training and supervision, that their staff are also familiar with these requirements. All staff should report violations or suspected violations to a supervisor, the Executive Director, or the Corporate Compliance Officer.

No Retaliation

No director, officer or employee who in good faith reports a violation of the Code or any violation of any federal, state or city law or regulation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

Reporting Violations

Job Path maintains an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them

properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to Job Path's Corporate Compliance Officer, Ellen Murphy, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following the Organization's open door policy, individuals should contact the Organization's Compliance Officer directly. Job Path also makes available a Corporate Compliance Hotline through which you can make reports of violations or any other concern to a confidential hotline. You can report anonymously if you are concerned about providing identifying information.

Conduct of Government Inspections and Audits

During a government inspection or audit, it is the responsibility of Job Path employees to provide full and accurate records and information. Employees must never conceal, destroy, or alter any documents, make misleading statements to government representatives or auditors.

Structure of the Corporate Compliance Program

Job Path has established a Corporate Compliance structure to help us ensure that the agency complies with ethical standards and legal requirements. In particular, we want to ensure that all employees feel comfortable reporting any concerns they have about Job Path's compliance with these requirements, and that these reports are acknowledged, and where appropriate, investigated. To accomplish this purpose, we have established a Corporate Compliance Committee to oversee compliance, a Corporate Compliance Officer, and a dedicated hotline through which employees may report concerns. A fuller description of the responsibilities of the Corporate Compliance Committee and Corporate Compliance Officer is contained in the Corporate Compliance Plan that you are receiving with this Code of Conduct.

Seeking Advice and Reporting Violations or Concerns

You have a number of options if you have questions about the ethical or legal requirements that affect your work or concerns about a suspected violation of an ethical or legal requirement, or concern about a consumer's rights or treatment. You are always encouraged, if you feel comfortable, to address your questions or report your concerns to your supervisor. You are also encouraged to report any concerns or address any questions about compliance to the Corporate Compliance Officer. All staff have the right to obtain advice from the Corporate Compliance Officer if there is a question or concern regarding an agency policy, practice, procedure, or individual incident. Staff members also have the duty to report any suspected violation of ethics or legal requirements to their supervisor or the Corporate Compliance Officer. If you are comfortable, you may approach the Corporate Compliance Officer individually in person. Alternatively, Job Path maintains a dedicated "hotline" that is readily available to all employees and independent contractors.

The “hotline” number is 1-800-826-6762. The hotline is operated by an independent organization who will give you the options of providing your name or reporting anonymously.

Documentation of Complaints or Concerns

The Corporate Compliance Officer will document all complaints, questions and responses reported to her/him. She will receive reports from the company that maintains the confidential hotline and a record of all investigations of complaints. She will report this information on at least a quarterly basis to the Executive Director and Corporate Compliance Committee.

Investigation of Reports

We are committed to investigate all reported concerns promptly and confidentially to the extent possible. The Corporate Compliance Officer will compile findings from the investigations and recommend corrective action or changes that need to be made. We expect all colleagues to cooperate with investigation efforts.

Corrective Action

Where an internal investigation substantiates a reported violation, it is the policy of the organization to initiate corrective action, including, as appropriate, making prompt restitution of any overpayment amounts, notifying the appropriate governmental agency, instituting whatever disciplinary action is necessary, and implementing systemic changes to prevent a similar violation from recurring in the future.

Discipline

All violators of this Code will be subject to disciplinary action. The particular discipline will depend on the nature, severity, and frequency of the violation and may include: verbal warning, written warning, suspension without pay during an investigation, termination.

Acknowledgment

All employees are required to sign an acknowledgement that they have received and read this Code of Conduct.