



INTANDEM

people | purpose | progress

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# Code of Conduct

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Code of Conduct

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# Intandem Code of Conduct

## **Introduction**

The Agency is a not-for-profit service organization that is dedicated to providing quality services to the people we support. In our efforts to be a center of excellence in delivering person-center services, we are committed to complying with the rules and regulations of the federal, state and local government. In doing so, we also seek to provide a work environment where high standards of ethical behavior are recognized and practiced.

To ensure both compliance and a positive work environment, we have established a Code of Conduct. It is expected that employees, volunteers, providers and contractors will conduct themselves in keeping with the Agency's values, public laws and norms of acceptable behavior and to observe the highest standards of professionalism at all times. Effective, productive, respected and empowered employees are the key to the success of our Agency.

We hope this will help you clearly understand how your ethical conduct contributes to the success of the ongoing efforts of the Agency. Following our Code of Conduct will also result in constant examples of our Values in action.

The **Agency's Code of Conduct** encourages employees and others to observe the highest standards of ethical conduct. It is not intended to address every potential issue that may arise in the course of business. The Agency has the right to add, change, revise or remove any code of conduct as necessary.

The following are also included in this document:

- **The NADSP Code of Ethics**
- **The Justice Center Code of Conduct.**

Although the codes share common language, they are distinct and different from each other and should be treated as such.

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**Agency Code of Conduct**  
**For Employees, Volunteers, Providers, and Contractors**

The following constitutes the minimum behavioral expectancies regarding your conduct as an employee, volunteer, provider or contractor of the Agency.

- Employees and others are expected to act in a manner that promotes the agency's reputation as an organization that exceeds the strict requirements of the law and operated in accordance with the highest ethical standards.
- Employees, volunteers, providers and contractors shall not engage in any activity that constitutes abuse of the individuals we support. There shall be no use of corporal punishment upon the individuals we support.
- The Agency seeks to create an environment in which the dignity of each individual is fully respected. The Agency is committed to serving all individuals on an equal basis without regard to race, nationality, or ethnic origin, religion, gender, disability or any other personal characteristic with respect to which discrimination is barred by law. There shall be no discriminatory activity against the individuals we support or fellow employees or others for any reason, including race, religion, national origin, color, age, gender, marital status, disability, sexual orientation, citizenship, ancestry, veteran status or other category protected by local, state and federal laws.
- Employees and others will not make any threats, intimidate or act violently toward or harass in any way people supported, other staff, or anyone else they meet while doing their job.
- Employees, volunteers, providers and contractors shall not distribute, sell, possess, purchase or consume illegal substances or alcohol while at the workplace or while performing in a work related capacity.
- Employees, volunteers, providers and contractors shall not come to work, or work, if their ability to perform their job is impaired due to the use of alcohol, controlled substance, illegal substance, or a prescribed medication.
- The Agency prohibits the possessing and/or storing of firearms or other weapons on or at any agency site or at any agency function. Individuals we support shall not be subject to inappropriate exposure to firearms or other weapons in or on the grounds of a facility. Nothing in this subsection shall preclude an individual supported from pursuing the opportunity to receive certification of successful completion of a hunter safety course for a specified firearm or weapon, and the subsequent appropriate use of such firearm or other weapon. The storage and use of such weapon, however, must be at other than agency sites.
- Employees, volunteers, providers and contractors shall model appropriate and acceptable behavior toward a person supported.

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- Individuals we support shall not carry out the duties of employees, volunteers, providers or contractors unless such tasks are described in the person's plan of service's by the program planning team for the purpose of increasing the person's skills.
- There shall be no personal financial transactions between employees, volunteers, providers or contractors and the individuals supported which may be construed as exploitation of that person or result in greater benefit to the employee, volunteer, provider or contractor than to the person.
- Employees, volunteer, providers and contractors shall treat all information regarding people we support and fellow employees and others confidentially and in a professional manner at all times. The Agency has adopted a comprehensive privacy compliance program governing the use and disclosure of records. All employees and others who have access to such records must familiarize themselves with this program's procedures and adhere to their terms
- All employees, and others, involved in documenting and billing for health care or other services must ensure that they follow all applicable laws, rules, conditions of participation and interpretive guidance relating to the billing process.
- The Agency is committed to ensuring that all people under its care receive prompt access to full range of medically necessary health care services to which the individual is entitled under the applicable government program. All services must be ordered and/or delivered by appropriately licensed or qualified personnel. The Agency seeks to provide or arrange for high-quality care at all times.
- All employees and others involved in the process of preparing and submitting reports must strive to ensure that these reports are accurate and complete and prepared in accordance with program guidelines.
- All employees involved in purchasing items or services from vendors, or managing relationships or conducting business transactions with sources or recipients of client referrals, should familiarize themselves with the Anti-Kickback procedure.
- Employees and others are required to act solely in the best interests of the Agency when carrying out their job responsibilities and must avoid all activities that constitute or create the appearance of a conflict of interest. Employees are prohibited from using their position with the Agency for personal benefit.
- Employees may not use their affiliation with the Agency to promote any business, charity or political cause. Employees and others shall seek reimbursement for expense only to the extent such expenses have been incurred in the course of carrying out their job duties and in accordance with the Agency expense reimbursement protocols.

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Examples of acceptable behaviors include, but are not limited to:

- Work cooperatively and respectfully with other employees and others to provide the highest quality of service;
- Work, first and foremost, in the interest of the people we support and their families;
- Represent the Agency positively in the community;
- Conduct all business activities in a fiscally responsible manner;
- Comply with all laws, and Agency procedures and policies;
- Attend required training;
- Perform all work in a diligent manner;
- Avoid conflicts of interest, including the acceptance and giving of gifts;
- Conserve resources of the Agency by not engaging in wasteful behavior;
- Respect confidential information related to the Agency and the people we support;
- Complete tasks in a timely manner and meet expectations of quality of work that the Agency strives to achieve;
- Prepare and maintain records and reports pertaining to those we serve accurately and honestly; to include company resources and reports of time worked, business expenses incurred, revenues and costs, and other business or service related activities;
- Ensure that all claims, regardless of where submitted, are accurate and legally compliant;
- Bill individuals and third party payers accurately;
- Report to a supervisor or to the Corporate Compliance Officer/Hotline (716) 375-4747 ext. 1103 any potential violation of applicable laws, regulations and policies, including the Corporate Compliance Program; and
- Consult the Agency's leadership when questions arise regarding these or any other Agency rules.

Listed below is a non-exhaustive list of behaviors and conduct that the Agency considers inappropriate and which could lead to disciplinary action, up to and including, termination:

- Insubordination, including deliberate failure or refusal to perform work assigned;
- Falsifying Agency records or making false statements regarding company records;
- Misrepresentations, falsifications or material omissions during the application process or during any Agency investigation or inquiry;
- Abuse, deliberate damage, destruction, misuse or unauthorized use of the Agency property or another employee's property;
- Fighting or horseplay;
- Theft, misappropriation, or unauthorized possession of company property or the property of others;

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- Tampering with, or punching “in” or “out,” for another employee. Tampering with the employee’s own time card or repeated failure to punch “in” or “out;
- Threatening, intimidating, coercing, abusing, insulting or otherwise interfering with another employee;
- Simultaneously performing work for another organization that is competitive with the Agency;
- Sleeping or loafing on the job;
- Dishonesty;
- Unauthorized entry on Agency property;
- Sexual or other harassment of employees, customers, or vendors;
- Altering passwords without notifying the Agency;
- Excessive absenteeism, tardiness, and/or taking of breaks;
- Unauthorized removal of safety devices from equipment;
- Violation of the Agency non-solicitation policy;
- Engaging in unlawful, unethical, unprofessional, or fraudulent activity;
- Possession of firearms, explosives, or any other dangerous weapon or material while on the Agency’s property, in Agency vehicles, while engaged in Agency business, or while under the authority of the Agency;
- Leaving the premises without notifying someone during working hours, or entering any work area without permission during nonworking hours;
- Drinking alcoholic beverages or possessing alcoholic beverages or drugs on Agency property; or
- Reporting to work under the influence of drugs or alcohol, or when suffering from an alcoholic hangover, or appearing to be in an unsafe condition, as determined by a supervisor.

Disciplinary action will be taken in instances where employees fail to conform to expected standards of conduct and behavior or violate any of the Agency’s rules and regulations. The decision to impose a disciplinary penalty, and the penalty to be imposed, shall be the sole discretion of the Agency. Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or discharge. Employees who engage in criminal conduct or other activities that contradict appropriateness for employment at the Agency may be put on unpaid leave, pending investigation, and terminated if circumstances warrant it. Depending on the nature of the violation, there could also be civil or criminal penalties.

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**National Alliance for Direct Support Professionals (NADSP)**  
**Code of Ethics**

The NADSP Code of Ethics defines the standards that guide our delivery of services and supports. Although this Code of Ethics is directed toward DSP's, all Agency staff are encouraged to consider ways these ethical statements can be incorporated into daily practice.

- **Person-Centered Supports:** As a DSP, my first allegiance is to the person I support; all other activities and functions I perform flow from this allegiance.
- **Promoting Physical and Emotional Well-Being:** As a DSP, I am responsible for supporting the emotional, physical, and personal well-being of the individuals receiving support. I will encourage growth and recognize the autonomy of the individuals receiving support while being attentive and energetic in reducing their risk of harm.
- **Integrity and Responsibility:** As a DSP, I will support the mission and vitality of my profession to assist people in leading self-directed lives and to foster a spirit of partnership with the people I support, other professionals, and the community.
- **Confidentiality:** As a DSP, I will safeguard and respect the confidentiality and privacy of the people I support.
- **Justice, Fairness and Equity:** As a DSP, I will promote and practice justice, fairness, and equity for the people I support and the community as a whole. I will affirm the human rights, civil rights and responsibilities of the people I support.
- **Respect:** As a DSP, I will respect the human dignity and uniqueness of the people I support, I will recognize each person I support as valuable and help others understand their value.
- **Relationships:** As a DSP, I will assist the people I support to develop and maintain relationships.
- **Self-Determination:** As a DSP, I will assist the people I support to direct the course of their own lives.
- **Advocacy:** As a DSP, I will advocate with the people I support for justice, inclusion, and full community participation.

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**Justice Center**  
**Code of Conduct for Custodians of People with Special Needs**

Revised January 21, 2016

**Introduction**

The Code of Conduct, as set forth in the Code of Conduct itself, sets forth a framework intended to assist impacted employees to help people with special needs “live self-directed, meaningful lives in their communities, free from abuse and neglect, and protected from harm”, in addition to the specific guidance provided by the agency’s policies and training.

Similarly, the Notice to Mandated Reporters contains guidance designed to assist mandated reporters, and is intended to provide a summary of reporting obligations for mandated reporters. It is not intended to supplement or in any way add to the reporting obligations provided by law, rule or regulation.

As provided by law, rule, or regulation, only custodians who have or will have regular and direct contact with vulnerable persons receiving services or support from facilities or providers covered by the *Justice Center Act* must sign that they have read and understand the Code of Conduct.

The framework provides:

**1. Person-Centered Approach**

My primary duty is to the people who receive supports and services from this organization. I acknowledge that each person of suitable age must have the opportunity to direct his or her own life, honoring, where consistent with agency policy, their right to assume risk in a safe manner, and recognizing each person’s potential for lifelong learning and growth. I understand that my job will require flexibility, creativity and commitment. Whenever consistent with agency policy, I will work to support the individual preferences and interests.

**2. Physical, Emotional and Personal Well-Being**

I will promote the physical, emotional and personal well-being of any person who receives services and supports from this organization, including their protection from abuse and neglect and reducing their risk of harm to others and themselves.

**3. Respect, Dignity and Choice**

I will respect the dignity and individuality of any person who receives services and supports from this organization and honor their choices and preferences whenever possible and consistent with agency policy. I will help people receiving supports and services use the opportunities and resources available to all in the community, whenever possible and consistent with agency policy.

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### **4. Self-Determination**

I will help people receiving supports and services realize their rights and responsibilities, and, as consistent with agency policy, make informed decisions and understand their options related to their physical health and emotional well-being.

### **5. Relationships**

I will help people who receive services and supports from this organization maintain or develop healthy relationships with family and friends. I will support them in making informed choices safely expressing their sexuality and other preferences, whenever possible and consistent with agency policy.

### **6. Advocacy**

I will advocate for justice, inclusion and community participation with, or on behalf of, any person who receives services and supports from this organization, as consistent with agency policy. I will promote justice, fairness and equality, and respect their human, civil and legal rights.

### **7. Personal Health Information and Confidentiality**

I understand that persons served by my organization have the right to privacy and confidentiality with respect to their personal health information and I will protect this information from unauthorized use or disclosure, except as required or permitted by law, rule or regulation.

### **8. Non-Discrimination**

I will not discriminate against people receiving services and supports or colleagues based on race, religion, national origin, sex, age, sexual orientation, economic condition or disability.

### **9. Integrity, Responsibility and Professional Competency**

I will reinforce the values of this organization when it does not compromise the well-being of any person who receives services and supports. I will maintain my skills and competency through continued learning, including all training provided by this organization. I will actively seek advice and guidance of others whenever I am uncertain about an appropriate course of action. I will not misrepresent my professional qualifications or affiliations. I will demonstrate model behavior to all, including persons receiving services and supports.

### **10. Reporting Requirement**

As a mandated reporter, I acknowledge my legal obligation under *Social Services Law §491*, as may be amended from time to time or superseded, to report all allegations of reportable incidents immediately upon discovery to the Justice Center's Vulnerable Persons' Central Registry by calling 1-855-373-2122.

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**Agency**  
**Code of Conduct Acknowledgment**

I acknowledge that I have read and I understand the Agency's Code of Conduct. I understand and agree that I must comply with the Agency's Code of Conduct, all laws, regulations, policies, procedures and other guidance applicable to the responsibilities of my position. I agree to abide by the Code of Conduct.

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Name (print)	Signature	Date
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**Justice Center**  
**Code of Conduct<sup>1</sup> Acknowledgement for Custodians of People with Special Needs**

I pledge to prevent abuse, neglect, or harm toward any person with special needs, consistent with agency policy. In addition, to the extent I am required to report abuse, neglect, or harm of any person with special needs by law, rule, or regulation, I agree to abide by the law, rule, or regulation. If I learn of, or witness, any incident of abuse, neglect or harm toward any person with special needs, I will offer immediate assistance, notify emergency personnel, including 9-1-1, and inform the management of this organization, consistent with agency policy.

I acknowledge that I have read and that I understand the Code of Conduct.

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Name (print)	Signature	Date
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Program: \_\_\_\_\_

Department: \_\_\_\_\_

Facility/Provider Organization: Cattaraugus Rehabilitation Center, Inc.  
NYSARC, Inc., Cattaraugus Niagara Counties Chapter

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<sup>1</sup> No aspect of this Code of Conduct is in any way intended to interfere, abridge, or infringe upon the rights provided by the *Taylor Law*.